

James A. Watkins, Philomath.  
Joseph Lyons, Reedsport.  
Oscar Kendall, Richland.  
James W. Dunn, St. Benedict.  
Frank H. Loughton, Seaside.

## PENNSYLVANIA.

Louise Martin, Koppel.  
William M. Carter, Punxsutawney.  
Matthew Storey, South Brownsville.

## PORTO RICO.

Carlos F. Torregrosa, Aguadilla.

## RHODE ISLAND.

Samuel W. Smith, jr., Jamestown.  
Emory H. Desilets, Manville.  
Frank P. Lamb, Natick.  
Sumner Mowry, Peace Dale.  
Howard F. Briggs, jr., Saundertown.  
John McPike, Warren.

## SOUTH CAROLINA.

James M. Byrd, Branchville.  
Clinton G. Rowland, Central.  
James A. Barrett, Clover.  
Clara A. Bonner, Due West.  
Almon C. Turbeville, Lake City.  
Maxcy J. Spears, Lamar.  
John W. Willis, Lynchburg.  
Ellen M. Williamson, Norway.  
William B. Wright, jr., Shelton.  
Marie C. Harley, Williston.  
Bruce K. Arnold, Woodruff.  
Martha E. Nichols, York.

## SOUTH DAKOTA.

Dana N. Bonesteel, Artesian.  
Raymond B. Breed, Brookings.  
Guy A. Miller, Conde.  
Edward McDonald, Deadwood.  
Frank E. Riley, Dupree.  
Lydia Oldewurtel, Freeman.  
John A. Stromme, Garretson.  
Anna M. Damberger, Herreid.  
James S. Slaughter, Herrick.  
Harry K. Sanborn, Hurley.  
Tazewell M. Simmons, Huron.  
Frelen Riley, Parker.  
Francis M. Crain, Redfield.  
Leroy F. Lemert, Spencer.  
James E. Burns, Timber Lake.  
James R. Dunlap, Vermilion.  
James M. Rasmussen, Viborg.  
John W. Martin, Watertown.

## TENNESSEE.

Charles M. Reed, Athens.  
John I. Cox, Bristol.  
Shadrach E. Byler, Collinwood.  
Richard H. Green, Covington.  
Charles C. Berry, Dyer.  
Hugh H. Gouchenour, Greeneville.  
James S. Pritchett, Jonesboro.  
Mary B. Buford, Lynnville.  
Dossie O. Thompson, McEwen.  
James C. Walker, Monterey.  
John M. Jones, Newport.  
Leander N. Alley, Oakdale.  
S. R. Robinson, Tazewell.

## TEXAS.

Albert B. Seale, Beaumont.  
William L. Hayley, Bronte.  
Hugh M. Bryan, Burton.  
Rudolph Flach, jr., Comfort.  
Harvey E. Williams, Desdemona.  
Howell L. Piner, Denison.  
Henry C. Bailey, Detroit.  
William R. Dickens, Eden.  
Walter N. Ramsay, Eldorado.  
James H. Richey, Hedley.  
Willis D. Holman, Hutto.  
Theodore W. Lueders, Lagrange.  
Wilson B. Russell, Liberty Hill.  
Otto J. Lang, Lufkin.  
Percy L. Walker, Luling.  
Charles J. January, jr., McAllen.

Mary R. Manning, Madisonville.  
Claud W. Warren, Matador.  
George F. Nelson, Mount Calm.  
Edgar A. Stripling, Mount Vernon.  
Joseph W. Holland, New Waverly.  
Osceola G. Wilson, Nixon.  
Abundio Contreras, Rio Grande.  
Mary M. Ferrel, Roby.  
Herschel C. Connally, Rosebud.  
Roy C. Lattimore, Roxton.  
James W. Longley, San Saba.  
Virgil T. Williams, Thornton.  
Wiley H. Lowrey, Weimar.  
Charles P. Zapalac, West.  
Aaron H. Russell, Willis.

## UTAH.

Robert D. Halladay, Grantsville.  
Heber J. Sheffield, jr., Kaysville.  
Jedediah M. Blair, Logan.  
Richard T. Fry, Morgan.  
William S. Anderson, Moroni.  
George A. Allen, Nephi.  
Leonard C. Sargent, Panguitch.  
William A. Jones, Spanish Fork.

## VERMONT.

Alfred A. Durkee, Pittsford.  
Claude C. Duval, West Burke.

## VIRGINIA.

William G. Stevenson, Accomac.  
Nannie B. Campbell, Amherst.  
A. Sidney Francis, Boykins.  
Everett S. Kendrick, Bristol.  
Sidney Sheltman, Christiansburg.  
Henry L. Munt, City Point.  
Eugene C. Hurt, Clover.  
Ruth C. Mankin, Falls Church.  
Robert L. Dudley, Rural Retreat.  
Samuel R. Gault, Scottsville.  
William A. Coates, South Washington.  
John L. Henley, Tappahannock.

## WEST VIRGINIA.

Samuel A. Christie, Keystone.  
William A. Burgess, St. Albans.  
Charles G. Price, Smithfield.

## WISCONSIN.

George Crawford, Mineral Point.

## REJECTION.

*Executive nomination rejected by the Senate June 4, 1920.*

## POSTMASTER.

## ALABAMA.

John M. Parrish, Clanton.

## HOUSE OF REPRESENTATIVES.

FRIDAY, June 4, 1920.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Great Spirit, through whose wisdom, power, and goodness Thou didst bring order out of chaos in a vast and stupendous universe, of which we are a part, and who hast created us to fulfill a destiny so grand, noble, and holy, of which we have not thought or dreamed.

We are finite, Thou art infinite; we are weak, Thou art mighty; we know but little, Thou knowest all things.

Let Thy influence be upon us, to guide us on our way toward that goal which is manifest in the incomparable life, character, and teachings of Thy Son Jesus Christ, our Lord and Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

## LEAVE TO EXTEND REMARKS.

Mr. YATES. Mr. Speaker, at Grant's Tomb on Decoration Day I had the honor of making some remarks, and I ask unanimous consent to extend them in the RECORD, with the assurance

that they do not refer to the bonus or any other problems or political matters.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD for the purpose indicated. Is there objection?

There was no objection.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13206) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, had requested a conference with the House of Representatives, and had appointed Mr. TOWNSEND, Mr. STERLING, and Mr. BECKHAM as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the joint resolution (S. J. Res. 152) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2789) for the consolidation of forest lands in the Sierra National Forest, Calif., and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, in which the concurrence of the House of Representatives was requested.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that June 3 they had presented to the President of the United States, for his approval, the following bills:

H. R. 13108. An act making appropriations for the naval services for the fiscal year ending June 30, 1921, and for other purposes; and

H. R. 1024. An act authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Colorado National Forest upon the surrender of other lands of an equal acreage also located in the Colorado National Forest, Colo.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 2, 1920:

H. R. 4438. An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

On June 3, 1920:

H. R. 400. An act authorizing the Sioux Tribe of Indians to submit claims to the Court of Claims.

On June 4, 1920:

H. R. 11960. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921.

#### REENROLLMENT OF S. 1005 AND S. 1222.

Mr. EDMONDS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution 26, requesting the Speaker of the House of Representatives to cancel his signature to S. 1005 and S. 1222, and directing the Secretary to reenroll, and so forth.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of a concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 26.

Resolved by the Senate (the House of Representatives concurring), That the Speaker of the House of Representatives be requested to cancel his signature to the enrolled bills:

S. 1005. An act for the relief of the owner of the steamship *Matoa*; and

S. 1222. An act for the relief of the owners of the schooner *Henry O. Barrett*;

That upon the cancellation of such signature the Secretary of the Senate be directed to reenroll said bill S. 1005, with an amendment as follows: Strike out of section 2 the following words: "That should damages be found to be due from the United States to the owner of said steamship *Matoa*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*."

And further, that the Secretary of the Senate be directed to reenroll the said bill S. 1222, with an amendment as follows: Strike out of section 2 the following words: "That should damages be found to be due from the United States to the owners of said schooner *Henry O. Barrett*, the amount of the final decree or decrees therefor shall be paid out of any money in the United States Treasury not otherwise appropriated: *Provided*."

Mr. EDMONDS. There is an amendment.

Mr. GARD. Mr. Speaker, reserving the right to object, do I understand that there has been any change in the language of the bills, or is this just a correction owing to an error in enrolling?

Mr. EDMONDS. I propose to change the language of the bills, if the gentleman will allow me to offer this amendment. This will put the two bills in exactly the form that we agreed was the proper form. These bills have passed the House and passed the Senate. We are now asking the withdrawal of the signatures of the presiding officers of the two Houses in order to put the bills in proper form.

Mr. GARD. The gentleman must first obtain unanimous consent before he can offer an amendment.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDMONDS. I move that the House concur in the resolution of the Senate with the following amendment.

The SPEAKER. The gentleman offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. EDMONDS: Strike out all after the resolving clause of the Senate concurrent resolution, and insert the following in lieu thereof:

"That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1005) 'for the relief of the owner of the steamship *Matoa*' be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

"Strike out all after the enacting clause of said bill, and insert the following in lieu thereof:

"That the claim of the owner of the steamship *Matoa* arising out of a collision between said steamship and the U. S. tug *Lucille Ross*, off Lambert Point, Va., on the 17th day of January, 1918, for and on account of the losses alleged to have been suffered in said collision by the owner of said steamship *Matoa* by reason of damages to and detention of said steamship, may be submitted to the United States Court for the Eastern District of Virginia, under and in compliance with the rules of said court sitting as a court of admiralty, and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

"2. That the action of the Speaker of the House of Representatives in signing the enrolled bill (S. 1222) 'for the relief of the owners of the schooner *Henry O. Barrett*' be, and hereby is, rescinded, and that the Secretary of the Senate be, and he is hereby, directed to reenroll said bill with an amendment as follows:

"Strike out all after the enacting clause of said bill, and insert the following in lieu thereof:

"That the claim of the owners of the schooner *Henry O. Barrett* arising out of a collision between said schooner and the U. S. monitor *Ozark*, off Five Fathom Bank Lightship, on the 19th day of April, 1917, for and on account of the losses alleged to have been suffered in said collision by the owners of said schooner *Henry O. Barrett* by reason of damages to and detention of said schooner, may be submitted to the United States Court for the District of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty, and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States, upon the same principle and measure of liability, with costs, as in like cases in admiralty between private parties, with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act."

Mr. GARD. Do I understand that this correction of the bill is to put it in proper enrolling form?

Mr. EDMONDS. Yes.

Mr. GARD. It authorizes the cancellation of the signature of the Speaker?

Mr. EDMONDS. It does.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The resolution was agreed to.



## RECLASSIFICATION OF POST-OFFICE SALARIES.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 14338, for the reclassification of post-office salaries, disagree to the amendments of the Senate, and agree to the conference asked for.

The SPEAKER. The gentleman from Minnesota calls up the bill H. R. 14338, for the reclassification of post-office salaries, asks unanimous consent that the Senate amendments be disagreed to, and agree to the conference asked for. Is there objection?

Mr. GARD. Reserving the right to object, has the gentleman conferred with the minority of the committee as to the course of procedure?

Mr. STEENERSON. I have conferred with some members of the committee, but I was not able to find the ranking member, Mr. Moon. But as he is to be one of the conferees probably there would be no objection.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. STEENERSON, Mr. MADDEN, and Mr. MOON.

## THE THIRD DEFICIENCY BILL.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 14335, the third deficiency bill, disagree to all the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Iowa asks unanimous consent to take from the Speaker's table the bill H. R. 14335, the third deficiency bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. GOOD, Mr. CANNON, and Mr. BYRNES of South Carolina.

## COMMITTEE ON IMMIGRATION AND NATURALIZATION.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Washington asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, in November the House gave the Committee on Immigration and Naturalization a resolution with broad provisions, including permission to sit in Washington and elsewhere during the sessions and recesses of Congress. During the discussion of the resolution I agreed with the gentleman from Tennessee [Mr. GARRETT] that outside sessions should not be held except in New York, unless I should later give notice to the House. After consultation recently with the gentleman from Tennessee I thought it well to state to the House that during the summer it is expected to send a subcommittee to Montreal, perhaps a subcommittee to Detroit and to other places. That the Members of the House may know of these tentative plans, I make this statement.

## DISTRICT OF COLUMBIA APPROPRIATION BILL—CONFERENCE REPORT.

Mr. DAVIS of Minnesota. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The SPEAKER. The Clerk will read the report.

Mr. DAVIS of Minnesota. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 10, 20, 24, 25, 26, 33, 35, 38, 40, 49, 50, 53, 56, 70, 71, 76, 82, 83, 84, 85, 87, 88, 97, 104, 105, 106, 112, 114, 115, 117, 119, 124, 125, 126, 128, 129, 130, 134, 142, 143, and 148.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 27, 28, 31, 32, 34, 36, 37, 39, 41, 42, 43, 44, 45, 46, 47, 51, 52, 54, 55, 57, 58, 59, 60, 61, 64, 65, 66, 68, 69, 72, 73, 75, 77, 78, 79, 80, 81, 86, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 100, 101, 102, 103, 107, 108, 109, 110, 111, 116, 120, 121, 122,

127, 131, 132, 133, 135, 138, 140, 141, 144, 145, 147, 149, 150, 151, 152, and 154, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That 40 per cent of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and 60 per cent out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, only, namely:

"Appropriations for the fiscal year ending June 30, 1921, heretofore or hereafter made in other acts and chargeable in any proportion against the revenues of the District of Columbia, shall be paid in the proportions of 40 per cent from the Treasury of the United States and 60 per cent from the revenues of the District of Columbia.

"If the estimated net revenues of the District of Columbia for the fiscal year ending June 30, 1921, are not sufficient to meet the proportion of the appropriations for that fiscal year charged against such revenues by this and all other acts, or which may be estimated to be charged against such revenues by acts that may be approved during such fiscal year, the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference: *Provided, however,* That such rates of taxation shall in no event be less than 1½ per cent nor more than 2 per cent."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$12,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$76,900"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,500"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$614,200"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 1 \$1,080, 1 \$960, 7 at \$900 each; in all, \$8,340; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: On page 34 of the bill, in lines 1 and 2, strike out "2,183" and insert in lieu thereof "2,208"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$50,000"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$220,050"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$28,680"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20,540"; and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and

agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Hereafter the commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the Home for the Aged and Infirm. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$19,400"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$218,400"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "All moneys received at said school, as income from sale of products and from payment of board or of instruction, or otherwise, shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institution are paid from the Treasury of the United States and the revenues of the District of Columbia"; and the Senate agree to the same.

Amendment numbered 140: That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Hereafter the commissioners are authorized under such regulations as they may prescribe, to sell the surplus products of the workhouse and the reformatory. All moneys derived from such sales shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia."

And the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "The rates of assessment for laying or constructing water mains and service sewers in the District of Columbia under the provisions of the act entitled 'An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes,' approved April 22, 1904, are hereby increased from \$1.25 to \$2 and \$1 to \$1.50, respectively, per linear front foot for any water mains and service sewers constructed or laid during the fiscal year 1921"; and the Senate agree to the same.

Amendment numbered 155: That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In line 7 of the matter inserted by said amendment after the word "employees" insert the following: "of the District of Columbia"; and the Senate agree to the same.

C. R. DAVIS,  
LOUIS C. CRAMTON,  
J. P. BUCHANAN,

*Managers on the part of the House.*

CHARLES CURTIS,  
LAWRENCE C. PHIPPS,  
JOHN WALTER SMITH,

*Managers on the part of the Senate.*

#### STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13266) making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying report as to each of the said amendments, namely:

On No. 1, relating to the method of making appropriations for the District of Columbia: Inserts a substitute for the provisions of the Senate and House bills which substitute provides that all appropriations for the District of Columbia for the fiscal year 1921, whether contained in the District of Columbia appropriation act or in other acts, shall be paid 40 per cent from the Treasury of the United States and 60 per cent from the revenues of the District of Columbia. The substitute also provides that if the estimated net revenues for 1921 are not sufficient to meet the proportion of the appropriations charged against them the Commissioners of the District of Columbia shall increase the rates of taxation on real estate and tangible personal property sufficiently to make up the difference, with a limitation that the rate of taxation shall not be more than 2 per cent.

On Nos. 2, 3, 4, and 5, relating to the Executive Office: Appropriates \$128,670 for salaries of employees as proposed by the Senate, instead of \$124,670, as proposed by the House.

On Nos. 6 and 7: Appropriates \$1,800 for a chief inspector of personal property in the personal tax board as proposed by the Senate.

On Nos. 8, 9, and 10: Strikes out the additional clerks, proposed by the Senate, in the license bureau.

On Nos. 11 and 12: Provides two additional clerks, as proposed by the Senate, for the teachers' retirement section of the auditor's office.

On Nos. 13, 14, and 15: Provides for an additional foreman at \$1,200 in lieu of two foremen at \$900 each, as proposed by the Senate, for the Engineer commissioner's office.

On Nos. 16, 17, 18, and 19: Appropriates \$40,840 as proposed by the Senate, instead of \$49,640 as proposed by the House, for the public utilities commission.

On Nos. 20, 21, 22, and 23, relating to the department of insurance: Increases the compensation of two clerks and a stenographer as proposed by the Senate, and strikes out the increase proposed by the Senate in the compensation of a statistician.

On Nos. 24 and 25: Strikes out the appropriation of \$1,200, proposed by the Senate, for a stenographer in the minimum wage board.

On Nos. 26 to 30, inclusive, relating to the Public Library: Strikes out the increases proposed by the Senate in the pay of the director of reference work; increases the compensation of the supervisor of school work and the librarian's secretary as proposed by the Senate; and appropriates \$3,500, instead of \$3,000 as proposed by the House and \$4,000 as proposed by the Senate, for substitute and temporary services.

On No. 31: Increases the amount which may be used for street car fares from \$5,000 to \$6,000 as proposed by the Senate.

On No. 32: Increases the amount for advertising notice of taxes in arrears from \$4,000 to \$4,500 as proposed by the Senate.

On No. 33: Strikes out the appropriation of \$50, proposed by the Senate, for the enforcement of game and fish laws.

On No. 34: Inserts the appropriation of \$6,000, proposed by the Senate, for rent of offices for the recorder of deeds.

On No. 35: Strikes out the increase of \$5,000, proposed by the Senate, in the amount for purchase of tags for vehicles.

On No. 36: Reduces from \$500 to \$200, as proposed by the Senate, the appropriation for supplies for the office of the veterinary surgeon.

On No. 37: Increases the appropriation for purchase of supplies for the office of superintendent of markets for use in connection with the investigation of sales of short weights and measures from \$200 to \$500, as proposed by the Senate.

On Nos. 38 to 48, inclusive, relating to street improvements: Restores the appropriations, stricken out by the Senate, for paving Girard Street and Sixth Street NW.; strikes out, as proposed by the Senate, the appropriations for Belmont Road, Upshur Street, and Harvard Street; inserts the appropriations, proposed by the Senate, for paving Connecticut Avenue and repaving G Street; and transfers from the appropriation for "Repair of suburban roads" to the appropriation for "Street improvements" the items of \$51,000 for Bladensburg Road, \$21,000 for Alabama Avenue, \$9,000 for Thirty-eighth Street.

On No. 49: Strikes out the paragraph, inserted by the Senate, authorizing the commissioners to close upper Water Street between Twenty-first and Twenty-second Streets NW.

On No. 50: Strikes out the paragraph, proposed by the Senate, authorizing the commissioners to close Rock Creek Ford Road between Broad Branch Road and Rittenhouse Street.

On No. 51: Inserts the paragraph, proposed by the Senate, changing the designation of McPherson Place NW., between I and K Streets, to Fifteenth Street.

On No. 52: Inserts the appropriation of \$3,820, proposed by the Senate, to pay Thomas W. and Alice N. Keller.



On No. 53: Appropriates \$50,000, as proposed by the House, instead of an indefinite amount, as proposed by the Senate, for opening, extending, or widening streets.

On No. 54: Reduces the appropriation for sidewalks and curbs from \$25,000 to \$20,000, as proposed by the Senate.

On No. 55: Transfers to the appropriation for "Street improvements" the appropriations for repairing Bladensburg Road, Alabama Avenue, and Thirty-eighth Street; and strikes out, as proposed by the Senate, the appropriation of \$39,000 for repairs to Central Avenue.

On No. 56: Strikes out the increase of \$5,000, proposed by the Senate, for operation and maintenance of the sewage pumping plant.

On No. 57: Inserts the paragraph, proposed by the Senate, repealing section 9 of the act providing for the collection and disposal of garbage in the District of Columbia.

On Nos. 58 and 59: Increases, as proposed by the Senate, the compensation of four inspectors in the electrical department.

On Nos. 60 and 61: Reduces the compensation of one assistant superintendent of schools from \$4,000 to \$3,750 and increases the compensation of the other assistant superintendent from \$3,500 to \$3,750, as proposed by the Senate.

On No. 62: Appropriates \$8,340, as proposed by the Senate, instead of \$7,300, as proposed by the House, for salaries of attendance officers for the public schools.

On Nos. 63 and 64: Provides for 384 teachers in group A of class 6, as proposed by the Senate, instead of 359, as proposed by the House.

On No. 65: Inserts the paragraph, proposed by the Senate, providing that no teacher, clerk, or librarian in classes 1 to 5 shall, because of any promotion, receive less longevity pay than such employee received at the time of his most recent promotion.

On No. 66: Makes provision in the appropriation for longevity pay for the principal and teachers in Americanization work, as proposed by the Senate.

On No. 67: Appropriates \$50,000 instead of \$60,000, as proposed by the Senate, for teacher annuities; and inserts the paragraph, proposed by the Senate, transferring from the Secretary of the Treasury to the Commissioners of the District of Columbia the duties of executing the teachers' retirement act.

On Nos. 68 to 74, inclusive: Appropriates \$220,050 instead of \$219,270, as proposed by the House, and \$220,650, as proposed by the Senate, for janitors and care of school buildings and grounds.

On No. 75: Inserts the language, proposed by the Senate, prohibiting the board of education from using for office space the rooms in the Franklin School Building occupied by grades 1 to 4, inclusive.

On No. 76: Appropriates \$35,000, as proposed by the House, instead of \$25,000, as proposed by the Senate, for expenses of community forums and civic centers.

On No. 77: Inserts the paragraph, proposed by the Senate, authorizing teachers of the public schools during the summer vacation of 1920 to be employed by any department or establishment of the Government, notwithstanding the provisions of the act of May 10, 1916.

On No. 78: Inserts the language proposed by the Senate authorizing the children of employees of the United States stationed outside of the District of Columbia to be admitted to the public schools without payment of tuition.

On Nos. 79, 80, and 81, relating to the Burrville school: Strikes out the provisions for an assembly hall; reduces the appropriation from \$85,000 to \$50,000, and increases the limit of cost from \$192,000 to \$218,000, as proposed by the Senate.

On Nos. 82, 83, and 84, relating to the Deanwood School: Provides for an eight-room addition, as proposed by the House; appropriates \$40,000 as proposed by the House, instead of \$25,000 as proposed by the Senate; and restores the limit of cost to \$190,000, as proposed by the House.

On Nos. 85, 86, 87, and 88, relating to the Burrville School: Provides for an eight-room building, as proposed by the House; strikes out the provision for an assembly hall; appropriates \$40,000 as proposed by the House, instead of \$25,000 as proposed by the Senate; and restores the limit of cost to \$190,000, as proposed by the House.

On Nos. 89, 90, and 91, relating to the new building between Eighteenth and Twentieth Streets NE.: Strikes out the provision for an assembly hall; reduces the appropriation from \$30,000 to \$20,000, and increases the limit of cost from \$190,000 to \$218,000, as proposed by the Senate.

On No. 92: Strikes out the appropriation of \$30,000 additional for the erection of an addition to the Phelps School and appropriates \$20,000, as proposed by the Senate, for remodeling that school.

On Nos. 93, 94, and 95, relating to the J. R. West School: Strikes out the provision for an assembly hall; increases the appropriation from \$100,000 to \$110,000, and the limit of cost from \$190,000 to \$218,000, as proposed by the Senate.

On No. 96: Appropriates \$15,000, as proposed by the Senate, for an additional amount for an eight-room addition to the Takoma School, and fixes the limit of cost at \$218,000, as proposed by the Senate.

On No. 97: Strikes out the paragraph, inserted by the Senate, authorizing the sale of certain property of the District of Columbia in square 3064.

On Nos. 98, 99, and 100, relating to the police department: Provides, as proposed by the Senate, for an additional driver of class 2, to be transferred from the appropriation for "Transportation of prisoners."

On Nos. 101, 102, and 103, relating to the house of detention: Appropriates \$45,620, as proposed by the Senate, instead of \$25,000, as proposed by the House.

On Nos. 104 and 105: Strikes out the increase of \$500, proposed by the Senate, for the harbor patrol.

On No. 106: Strikes out the increase of \$1,000, proposed by the Senate, for the disinfecting service under the health department.

On No. 107: Makes a verbal correction in the bill.

On No. 108: Changes the designation of the "Washington Diet Kitchen" to the "Child Welfare Society," as proposed by the Senate.

On Nos. 109 and 110: Reduces the appropriation for pay of the probation officer of the supreme court from \$2,400 to \$2,200, as proposed by the Senate.

On Nos. 111, 112, and 113, relating to the juvenile court: Increases the pay of the chief probation officer from \$1,800 to \$2,000, as proposed by the Senate, and strikes out the increase in the pay of assistant probation officers.

On Nos. 114 and 115, relating to the courthouse: Strikes out the provision for two additional charwomen at \$240 each.

On Nos. 116, 117, 118, and 119, relating to the Board of Charities: Increases the pay of the clerk and stenographer from \$1,200 to \$1,400, as proposed by the Senate; strikes out the provision for an additional inspector at \$840; and appropriates \$1,800, as proposed by the House, for maintenance of motor ambulance.

On Nos. 120, 121, and 122, relating to the jail: Strikes out the appropriation of \$1,000 for the salary of a driver, transferred to the police department by another paragraph of the bill.

On No. 123: Inserts the paragraph, proposed by the Senate, authorizing the commissioners to sell the surplus products of the Home for the Aged and Infirm.

On Nos. 124, 125, 126, and 127, relating to the National Training School for Girls: Strikes out the salary for a treasurer and provides that on and after July 1, 1920, appropriations for the institution shall be disbursed in the manner provided by law for other appropriations of the District.

On Nos. 128, 129, 130, 131, and 132: Restores the reductions, proposed by the Senate, in the appropriations for the Children's Hospital, Providence Hospital, and Garfield Hospital, and reduces, as proposed by the Senate, the appropriations for the Emergency Hospital and the Eastern Dispensary.

On No. 133: Strikes out, as proposed by the Senate, the appropriation for the Gallinger Municipal Hospital and inserts a paragraph fixing the limit of cost of such hospital at not to exceed \$1,500,000.

On Nos. 134, 135, 136, 137, and 138, relating to the Board of Children's Guardians: Strikes out the assistant agent at \$1,260; provides for an additional placing and investigating officer at \$1,200; and inserts a paragraph, proposed by the Senate, authorizing the disbursing officer to advance funds to the agent of the Board of Children's Guardians for expenses in placing and visiting children.

On No. 139: Inserts the paragraph, proposed by the Senate, relative to the use of proceeds received by the Industrial Home School for Colored Children modified so as to require such proceeds to be covered into the Treasury instead of being used for the support of the school.

On Nos. 140 and 141: Inserts the appropriations of \$5,000 and \$1,500, respectively, for the National Library for the Blind and the Columbia Polytechnic Institute, as proposed by the Senate.

On Nos. 142 and 143: Fixes the pay of the superintendent of the Workhouse and Reformatory at \$4,000, as proposed by the House, instead of \$3,600 as proposed by the Senate.

On Nos. 144, 145, and 146, relating to the Reformatory: Reduces the appropriation for fuel from \$10,000 to \$8,000 as proposed by the Senate, and inserts the paragraph, proposed by the Senate, authorizing the commissioners to sell the surplus products of the Workhouse and Reformatory.

On No. 147: Reduces, as proposed by the Senate, the appropriation for rent for the militia.

On No. 148: Restores the paragraph, stricken out by the Senate, providing for increased water rates of not less than 25 per cent.

On Nos. 149, 150, 151, 152, and 153, relating to the water department: Increases, as proposed by the Senate, the compensation of the master mechanic; inserts appropriations of \$70,000 and \$20,000, respectively, for water mains in Illinois Avenue NW. and F Street NW.; and restores the paragraph, stricken out by the Senate, providing for an increase in the rates of assessment for laying or constructing water mains and service sewers, modified so that the rates per linear front foot for water mains shall be increased from \$1.25 to \$2 and for service sewers from \$1 to \$1.50, and limits the operation of the paragraph to the fiscal year 1921.

On No. 154: Inserts the paragraph, proposed by the Senate, granting leave of absence with pay for legal holidays to per diem employees and day laborers regularly employed by the District of Columbia for 15 working days next preceding such legal holidays.

On No. 155: Inserts the paragraph, proposed by the Senate, granting to officers and members of the police and fire departments the increased compensation provided in the legislative, executive, and judicial appropriation act for 1921 at one-half the rate allowed to other employees.

C. R. DAVIS,  
LOUIS C. CRAMTON,  
J. P. BUCHANAN,

*Managers on the part of the House.*

Mr. DAVIS of Minnesota. Mr. Speaker, finally the District appropriation bill in all of its details has been agreed to by the Senate conferees and the House conferees. [Applause.] This, I wish to assure you, gentlemen, has not been without considerable exertion on the part of all, the House and the Senate. In fact, we completed the writing up of the bill yesterday about 6 o'clock. The writing of the report and statement is quite an extensive job, and we succeeded in getting the report and statement written up last evening before 12 o'clock.

The Senate passed the conference report without any trouble whatever, without the crossing of a "t" or the dotting of an "i." Now, it is up to this body to say whether or not the bill, which, in my judgment, is the best bill concerning the District of Columbia that has ever been passed, shall be approved by you, and I trust that you will do what the Senate did. [Applause.]

Briefly, I will state that the bill as it passed the House carried \$18,305,484.87. The bill that was agreed upon last evening carries \$18,373,004.87. The Senate and the conferees have only increased the House bill \$67,520, an unprecedented transaction as far as my memory goes.

If the present tax rate and the present 50-50 plan were in force, and continued in force next year, the District of Columbia would have a deficiency under that tax system of \$2,546,000.

Now, gentlemen, let me tell you what has been accomplished. The conferees of the Senate and the House have now agreed to change the 50-50 proposition to 60 on the part of the District and 40 on behalf of the Government. [Applause.]

Your conferees have insisted, and the Senate has agreed, on raising the tax upon real estate and tangible personal property to what some of us consider a limited degree. The present tax law is 15 mills on both real and tangible personal property. If that system continued in vogue, the District of Columbia would raise about \$2,546,000 less than its share of the appropriation asked for. So they have agreed, and I am thankful for it, that the tax shall be raised; that the commissioners shall during the next fiscal year raise the rate of taxation to a sufficient amount to raise the 60 per cent on behalf of the District, and in order to do so they have agreed that it may go up to 20 mills instead of 15 mills.

I state now upon the best authority that it would require fully 20 mills, or 2 per cent, to raise that amount. They have agreed to that, and that puts us on a good, fair working basis under all of the circumstances.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. McLAUGHLIN of Michigan. Are assessments to continue at two-thirds of the actual value?

Mr. DAVIS of Minnesota. I would state to the gentleman from Michigan that we have left that law as it is; but that is immaterial under the drafting of this bill. They have to raise this amount of money—60 per cent of all of the estimates and allowances.

Mr. WOODS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. WOODS of Virginia. I would like to ask the gentleman if any provision is made for increasing the taxes on intangibles? Mr. DAVIS of Minnesota. Nothing in this bill.

Mr. WOODS of Virginia. I would like to say that that is only 3 mills, whereas in many of the States it is 10 mills, and it results in making the District to a large extent a Mecca for the tax dodgers throughout the various States.

Mr. DAVIS of Minnesota. I do not care to go on record as corroborating all the gentleman has said, but some of the things he has said are very familiar to many Members of Congress, and especially the older ones, who have been here for some time. I do not wish to predict, but possibly in the near future some agitation may be made legislatively along that line, if the District of Columbia legislative committee sees fit to take up the subject.

I wish to say in closing that this bill takes care of the school-teachers of the District of Columbia and gives them all that they asked for, not only in respect to good, big salary increases, but they have not asked for a teacher that we have not granted. The bill also takes care of all of the policemen of the District of Columbia. We have given them all they asked for and all that they need. We have taken care of the firemen, and have also given them all of the firemen asked and increased the salaries of the firemen, so that they are perfectly satisfied.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Minnesota. Yes.

Mr. HUDSPETH. In the matter of the school-teachers in the District, what is the rate of increase in the pay—not, of course, with the view that Congress could raise the pay of school-teachers throughout the country, but from the point of view that it will act as an example?

Mr. DAVIS of Minnesota. I could not give you the exact rate of increase, but I would state that the lowest teacher in the lowest grade when this bill passes will receive \$1,240, and the salaries run from that up to \$2,750 and longevity pay besides.

Mr. MAPES. It is \$1,440, including the bonus.

Mr. MILLER. Will it take care of the building program for the schools?

Mr. DAVIS of Minnesota. It certainly does, possibly with one or two exceptions. The committee struck out what some of us considered were show propositions, assembly halls, and so forth, in order to keep the thing down to where they could actually build the buildings under contract as soon as the bill is passed.

Mr. WILLIAMS. What improvement is made in the water system?

Mr. DAVIS of Minnesota. We have given them all they asked. As the bill passed the Senate originally it was \$23,000 less than our bill, but we have added that so that now we have increased the Senate bill to \$67,520 more than the original House bill. That is a matter that should be self-sustaining from the revenue received from the property owners, and has been so intended under the law. For the last year or two there has been a deficit. Hence the commissioners recommended and we have increased it, have provided that the rate to the property owner shall be raised from \$1.25 to \$2 on public-service mains in the middle of the street and from \$1 to \$1.50 on private mains. That is amply taken care of and the commissioners are perfectly satisfied.

As we have quite an extensive statement here setting out in full what the bill contains—and it took many hours yesterday and last night to prepare that—I suggest that gentlemen read it, for it is certainly clearly stated.

I yield five minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. Sisson. Mr. Speaker, I do not expect to go into the merits of this conference report, because I could not do that in this short time, but what I want to say to the House is in reference to the successful work of our conferees. I especially want to congratulate the chairman of the committee [Mr. DAVIS of Minnesota], as well as the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Texas [Mr. BUCHANAN]. Gentlemen who have never been on conference committees having in charge the District of Columbia appropriation bill do not really know just what it is to be on a conference committee. I have served on a good many conference committees, but I never served on one in which there was so much bickering, so little reasoning, and so little discussion of real justice and fairness in applying rules of taxation as there has been on the many conferences I have been on with respect to



the District of Columbia appropriation bill. We have repeatedly by an overwhelming vote passed through this House a proposition to abolish the half-and-half, which has outlived its day of usefulness and which is now a scandal in the minds of the people of the country who understand thoroughly the question. The Senate has never discussed this matter but once, and when they did discuss it it was only for a few minutes, and the Senator from Iowa and the Senator from Kentucky got about a third of the votes of the Senate on the proposition. They have never discussed it there since that time. Your committee made up a good bill and the House passed it and your conferees on this occasion stood for this good bill and made up their minds that they would no longer be treated with contempt and contumely by the Senate. The Senate has at last yielded on the sacred so-called half-and-half, and the gentleman from Minnesota [Mr. DAVIS], the gentleman from Texas [Mr. BUCHANAN], and the gentleman from Michigan [Mr. CRAMTON] deserve the thanks of the country and especially of this House. [Applause.] This is especially true of the gentleman from Minnesota, who has been with us in this fight for a long 12 years, and who has at last succeeded in doing that which ought to have been done a number of years ago. I also must mention my good friend the gentleman from Kentucky [Mr. JOHNSON], who was a pioneer in this fight. I want to thank him for the valuable aid he has given. In fact, he began the fight on this iniquity. I am sure that the whole House will join with me in congratulating these men for making this fight for years and finally bringing back to the House this good bill.

I want to say before I conclude that, in my judgment, it is going to make an infinitely better atmosphere for the people who live in the District of Columbia, for Congress, and the officials of the Federal Government. The gentleman from Minnesota and the other members of the subcommittee who have brought about this result deserve the approval of their constituents. When we were discussing this matter we had before us men representing the real business interests of this District. When we reminded them that they were demanding great increases for school-teachers, for firemen, for policemen, and street improvements, and asked them how they expected to get them without an increase in taxes, these business men looked us straight in the eye, and one of them said:

We are getting tired of being looked upon as mendicants at the door of the Treasury of the United States.

What you gentlemen in Congress ought to do is to fix a tax rate sufficient to raise these moneys. We people in the District of Columbia have no right to ask these things unless we shall pay taxes like other constituencies in the United States.

[Applause.]

Now, these gentlemen were patriots. One was a man whose wealth is estimated in the millions, and the other man is looked upon as one of the rich men. They are real business men in this District. They are not men who want to profit by having a rate of taxation so as to induce men to come from the other sections of the country in order to avoid personal taxes and in order to thus induce them to buy real estate, but they were real, honest business men of the community who would have only a square deal. I would like to talk just a minute or two longer, but I do not want to trespass further upon the time of the House.

The SPEAKER. The time of the gentleman has expired.

Mr. DAVIS of Minnesota. I yield the gentleman an additional minute.

Mr. Sisson. I have talked about this matter so much, I have talked about it so long, and I have wearied the House so much that I want to say now there is not a man in the House who feels better over this result, because it is a recognition of the principle I have been contending for here for 10 long years, and I am beginning to have some little hope, and I believe we will finally work out a good system of taxation here in the District of Columbia that will not only aid these people in their efforts but relieve them from the continued assaults made upon them in Congress, because the real people of the District of Columbia do not want a special privilege and, so far as I am concerned, the bad ones shall never have it. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield 5 or 10 minutes to the gentleman from Michigan [Mr. CRAMTON], a member of the subcommittee.

Mr. CRAMTON. Mr. Speaker and gentlemen of the House, the conference which has just ended in a complete agreement between the House and the Senate has been a strenuous one by reason of the disagreement on this half-and-half proposition joined with the question of taxation. But apart from that issue I think it is just to the gentlemen of the Senate to say that they have never sent back to the House any better bill than the one they sent back this year, and when an agreement on the question of taxation and apportionment of the appropriations

had been secured we had no difficulty whatever in coming to an agreement with them on the balance of the bill. In fact, the amendments which the Senate had made to the House bill were nearly all of them so reasonable and so justifiable that the House conferees accepted nearly 100 of such amendments.

As to the item that was in such serious controversy, the half-and-half, I have no desire to make a speech about its merits, but there are one or two observations, I think, I ought to offer at this time. That question really involves three phases. First, the apportionment of the payment of the expenses of the District government out of the Federal and District revenues; second, the tax rate that shall be levied upon District property, tangible, personal, and real property, to meet the District's share of such expenses; and, third, there is in the Treasury a balance of three or four million dollars which it is alleged belongs to the District. In controversy on this question those matters all come in.

In the compromise that has been brought to the House the sacred half-and-half is a thing of the past. A new division has been secured, and instead of the fifty-fifty it is a division of sixty-forty, 60 per cent out of the revenues of the District and 40 out of the revenues of the Federal Government.

Mr. JOHNSON of Mississippi. Will the gentleman yield for a question?

Mr. CRAMTON. I will.

Mr. JOHNSON of Mississippi. What proportion of the property here is owned by the Government?

Mr. CRAMTON. I could not say offhand; but there is a large proportion. They have claimed that half of it is, but that includes streets, avenues, and everything else. I really do not want to get into a discussion of the merits of the question, as I do not care to take up the time.

Mr. JOHNSON of Mississippi. My information is that only about one-eighth of the property belongs to the Government.

Mr. CRAMTON. The gentleman may be entirely correct. The present arrangement agreed upon, of 60 per cent out of the District revenues and 40 out of the Federal, is not a permanent provision, and I think it should be stated that it is not the view of the conferees either of the House or the Senate that we have in this agreement created a new sacred cow hereafter to be worshipped. Some of us believe that the apportionment should be different. Personally I believe the District should stand a larger proportion than 60 per cent—at least two-thirds—but others of the conferees, perhaps, think it should be less. In any event it is distinctly understood that we have not agreed upon the 60-40 as a new sacred rate to remain untouched for another half century. In other words, on this proposition and on the tax rate and on the whole question the Appropriations Committee have made a temporary compromise in order to get this appropriation bill through, and are leaving the permanent proposition to the legislative committee in the House, headed by my colleague [Mr. MAPES]. It is our hope that with the abandonment of the half-and-half the House and Senate may be able to get together upon the Mapes bill now in conference and make a satisfactory permanent settlement.

Now, the tax rate as fixed by this report is a maximum of 2 per cent for the present year instead of  $1\frac{1}{2}$  per cent, as heretofore. In that connection, while it is said that it shall not be more than 2 per cent, it is my opinion that the appropriations are so liberal that it will be necessary to levy the full 2 per cent. The appropriations for 1921 in this bill and in the others heretofore passed that are to be paid on this 60-40 basis are \$20,500,000, of which the District's share would be \$12,300,000. The revenues of the District for 1921 have been estimated at \$9,754,000. That includes not only the revenues from the tax of  $1\frac{1}{2}$  per cent on real and tangible personal property, but also upon intangible property and all other revenues of the District. As I say, it is estimated to amount to \$9,754,000. Now, it is estimated by the very efficient clerk of the Committee on Appropriations, Mr. Shield, that the additional one-half per cent that we are raising from tangible personal and real property will bring an additional \$2,700,000. The appropriations now made for 1921 total \$20,500,000. The 60 per cent chargeable to the District will be \$12,300,000, and under the old system the revenues would amount to \$9,754,000, which would leave a deficit of \$2,546,000. To meet that comes this additional one-half per cent, which will yield \$2,700,000, so that you can see there is only about \$154,000 as a balance left. So on the 2 per cent tax basis there is going to be a narrow margin. Now, that brings up one thing I wish to express also.

There will be other appropriations made in the next session of Congress for the District for this same year 1921. Those will come in the deficiency bills of the next year. Those deficiency appropriations are included in this arrangement, and it is distinctly understood by the conferees that the whole appropriations for the District for the coming year, including those

deficiency items, are to be handled on this same basis and are to be paid 60 per cent out of the revenues of the District. Hence it is well for the commissioners to take notice in fixing their tax rates that even if they fix the 2 per cent rate under this law they will have only—

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Speaker, I would like to have five minutes more.

Mr. DAVIS of Minnesota. I yield five minutes more to the gentleman.

Mr. CRAMTON. Even if they fix the limit, as they can under the law, at 2 per cent, they have a margin of only \$154,000 to work on to take care of the deficiency appropriations the coming year. The new plan, in my mind, is of chief importance to the District in that it assures, as the gentleman from Mississippi [Mr. Sisson] has said, a better condition of things. The city is growing with great rapidity. Its needs are like the needs of all great, growing cities. They have great needs in many directions, and with this new arrangement that is going to involve a larger taxation in the District and make more money available it means a more rapid advance for the District.

It seems to me that the permanent plan when it is adopted might well include something like this: First, the removal of the limit upon estimates. Let the commissioners file their estimates for what they think the District needs.

There should be a removal of the limit upon the estimates so that the commissioners can honestly estimate what they think the District needs. Second, there should be an apportionment of the expense between the Federal Government and the District that is just, and that is recognized as just by the Congress as well as by the District. Third, there should be authority given the commissioners to fix the tax rate each year at a figure that will raise the revenues necessary to care for the District's share of the appropriations.

If that is done, it will enable the Congress to make appropriations under those estimates on a liberal basis. On the other hand, the commissioners and the people of the District, knowing that the tax rate is going to be dependent upon the appropriations made, may hesitate about extravagance in their estimates, and they may look with a little more concern upon extravagance in District matters. The needs of the District include schools, library facilities, roads and streets, and so forth. All those things are greatly in need; and I only express the wish that is common among Members of Congress when I declare we want this in truth the model city of the Nation and the world's greatest Capital. Abolition of the half-and-half does not mean the beginning of a reign of Federal parsimony. I strongly contend that the new day now opening means a brighter day for the District and more rapid advance for the Capital City of our Nation.

As to the matter of teachers, because the question was asked here, I want to emphasize what was said by the chairman of the subcommittee [Mr. DAVIS] as to what the Congress of the United States is doing for the teachers in the District, because I hope it may be something of a standard for the whole country.

The SPEAKER. The time of the gentleman has again expired.

Mr. CRAMTON. May I have one minute more?

Mr. DAVIS of Minnesota. I yield one minute more to the gentleman.

Mr. CRAMTON. Twelve hundred dollars is the lowest salary, to which is added \$240 bonus, and then is added their longevity pay, and then, finally, comes the retirement allowance. Congress desires a local educational system built on the only sure foundation, a competent teaching force, justly compensated.

In concluding these few remarks I want to emphasize to the House the splendid service rendered by the gentleman from Minnesota [Mr. DAVIS], chairman of the subcommittee, in the settlement of this important question that has hung on so many years and has so long disturbed the relations between the Congress and the District. He is more familiar, perhaps, with the affairs of the District than any other man in the House with one or two exceptions. [Applause.] That experience and knowledge did much to bring about the result so greatly desired. He has stood like a rock, and he has won a victory that is worth while, not only to the Federal Government but to the District. [Applause.] Also I want to congratulate those long-time leaders of this fight on the minority side, the gentleman from Kentucky [Mr. JOHNSON], who started it and shares in the victory; the gentleman from Mississippi [Mr. Sisson], who has fought incessantly for this reform; and the gentleman from Texas [Mr. BUCHANAN], without whose sturdy cooperation nothing could have been accomplished.

Mr. DAVIS of Minnesota. Mr. Chairman, I yield four minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I am sure that everyone is pleased that this very important question, so long known as the half-and-half proposition, has been settled. I am sure the Congress and the entire country and, I think, the District of Columbia are to be congratulated upon its settlement. The District of Columbia is to be congratulated not only because through this settlement it receives the appropriations necessary for the administration of District activities during the next fiscal year, but for the reasons which have been so clearly and forcibly set forth by the gentleman from Michigan [Mr. CRAMTON]. It is not settled as the House desired, but it serves to do away with this idea which seems to have been entertained by some that the so-called half-and-half plan of public expenditure in the District is something too sacred to be disturbed, and it is a good compromise of the differences existing between the House and Senate.

Too much praise can not be uttered in behalf of the gentleman from Minnesota [Mr. DAVIS], the able chairman of the committee, the gentleman from Michigan [Mr. CRAMTON], and the gentleman from Texas [Mr. BUCHANAN] for their successful efforts in the settlement of this question. [Applause.] There are but few of us, probably, who appreciate the very great struggle that they have had to bring this matter to a successful conclusion. They have rendered a real service to the country, and are entitled to the thanks of Congress and of the country for their splendid, able, and patriotic work, and in which, while acting for the best interest of the District, they have not lost sight of the interest of the taxpayers of the entire country. They have made a record to which they can point with pride and satisfaction and which I am sure will be appreciated by their constituencies. [Applause.]

Great commendation and praise is also due to the gentleman from Mississippi [Mr. Sisson], who began this fight so many years ago, and which he has followed through all these years with that ability and courage of his convictions which characterize him in all of his official duties in the Congress, and with that pertinacity for which he is distinguished in the advocacy of those things in which he believes. [Applause.] He witnesses to-day the successful culmination of his efforts by a settlement which means that next year there will be saved to the United States Treasury more than \$2,000,000, and from the action taken by the Senate and the House in adopting this new principle of taxation and division of expenditures it means that through all the succeeding years there will be saved not only this much each year, but more, as the appropriations for the District increase. [Applause.]

The gentleman from Mississippi and I entered Congress together, and it has been my good fortune to have served with him on the important Committee on Appropriations for the past nine years. I have an intimate knowledge, therefore, of the great value of the services which he has rendered. The value of the work performed by the committee appears in the reports which are made to Congress on the large appropriation bills over which it has jurisdiction. But the arduous work and infinite care and patience required of its membership does not appear to the public. It is performed in the committee room in hearings on estimates and cross-examination of witnesses which frequently last for months of daily, and, very often, night sessions, where the estimates are examined and considered in the greatest detail.

No member of the committee has been more faithful in this service than the gentleman from Mississippi. It can be truly said that no member has served with greater ability or with greater fidelity to the country. [Applause.] Since he has been a member of the committee the sum total of reductions made by the committee in estimates for appropriations amounts to more than \$11,000,000,000, and in this great saving to the people the gentleman from Mississippi has had his full share. He is recognized as one of the real economists of the Congress, and has the courage to stand by his convictions regardless of personal consequences to himself. And this well-recognized fact, coupled with his ability, his natural abhorrence of injustice, and his warm sympathy for the people, has served to make him a powerful factor in the shaping of legislation not only in the committee but also in the House. [Applause.] I have been moved to say this much, Mr. Speaker, in view of the splendid service rendered by the House conferees in finally solving this problem, which has been a bone of contention between the House and Senate for so many years, and in which the gentleman from Mississippi has played such a conspicuous part. [Applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.



Mr. DAVIS of Minnesota. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. OLIVER].

The SPEAKER. The gentleman from Alabama is recognized for one minute.

Mr. OLIVER. Mr. Speaker, I can heartily indorse the many complimentary references made on the floor of the House to-day to the excellent work of the gentleman from Mississippi [Mr. Sisson], whose long-continued fight for a fair, just, and equitable law for the District of Columbia is now to be at least partially realized. While bringing a large saving to the Federal Treasury, it will impose no unjust burden on the property owners of the District. This accomplishment but reminds us that the essential qualifications after all of a useful Member of this House are ability, industry, perseverance, and courage to assert and maintain against all odds individual convictions on great public matters. Certainly no one possesses these qualifications in a higher degree than does the distinguished gentleman from Mississippi [Mr. Sisson]. [Applause.] Because of these qualities no one to-day more than he deservingly enjoys the esteem, respect, confidence, and affection of his colleagues. [Applause.] I have watched with peculiar pleasure his successful career in the House, having been attracted to him when I first came to Congress, since he so ably represents the district in which my mother was born and reared to womanhood. His splendid legislative work entitles him not alone to the thanks of Congress but of the country at large. [Applause.]

Mr. DAVIS of Minnesota. Mr. Speaker, I yield two minutes to the gentleman from Ohio [Mr. GARD].

The SPEAKER. The gentleman from Ohio is recognized for two minutes.

Mr. GARD. Mr. Speaker, I, too, desire to make known my appreciation of the work of the conferees on this bill, who have had the accumulated strength of the conferees who have represented the House on the District of Columbia appropriation bill for the last several years, especially upon the matter of the so-called half-and-half, its retention or abolition. They have at this time shown a rare courage in dealing with this embarrassing local situation, and I am sure that it will prove of local and national benefit. I have always believed and now believe that the true rule should be a fair and equitable response in taxation on all privately owned property in the District and the payment of such additional sums as may be required for the best upkeep of the District by the Federal Government.

I can not refrain at this time from saying that I think the House and the country owe a debt of remembrance, at least, to the man who has had the courage to stand up for true and honest rules of taxation in the District for years and years—the gentleman from Kentucky [Mr. JOHNSON]. [Applause.] In addition to the work of Mr. JOHNSON of Kentucky, I would say that there was courage in the position taken by the present Speaker of this House when he spoke before an organization of Washingtonians and told them that the time had come when the half-and-half policy was no longer necessary and that it should be repealed. The courage to speak the truth is always a thing to be commended. [Applause.]

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield to the gentleman from Ohio [Mr. KEARNS].

The SPEAKER. The gentleman from Ohio is recognized.

Mr. KEARNS. Mr. Speaker, in the beginning, I desire to say I have no quarrel with the great masses of loyal and patriotic men who make up the Democratic Party. These men have been misled by the pretense of a false leadership. The present Democratic administration was conceived in falsehood and deceit and ever since has reveled in graft and wild extravagances. By a false pretense it secured the confidence of the electorate of the Nation, and it has never since overlooked an opportunity to violate its trust. It has chosen to pile needless burden after burden upon the weary shoulders of the tax-paying public rather than stay the profiteer in his mad rush to riches. It has compelled the 110,000,000 men, women, and children of this country to pay constant tribute to this lawless band of profiteers. While the war was on, and the young manhood of the country was baring the breast to the dangers of battle and loyal men and women at home were exerting their energies to get needed supplies to our soldiers at the front and in camp, the profiteer preyed unhindered upon the vitality of the country. The administration sometimes rebuked but never punished this the greatest domestic foe. Since peace has come, this enemy at home still plies his nefarious trade in every household of our land. This is done in defiance of a pitifully weak and vacillating administration. This band of highway robbers boldly and successfully defy the law, and go unjailed.

So well do they recognize the helpless impotency of the Department of Justice that they go unmasked into every household in every State of the Union and loot and plunder. The profiteer has brought want and misery and suffering into a countless number of homes; yet it seems he has not yet reached the zenith of his wild career. The red danger pales into nothingness compared to this great evil of the hour. With laws so thick and drastic that no honest man dare turn to right or left for fear of violation, the lawless continue in their mad rush unafraid. Attorney General Palmer did take a decided stand against the coal miner and stopped what might have been a national disaster. Some say, for this, he must be called to higher duties. I believe, before the people call him into a wider field, they will first ask him to put handcuffs on the wrists of those who have their hands in the pockets of every home throughout our land. It is true the miners' strike was partly stopped in the early stages of its development, but the operator was never hindered and is still allowed to make, in many instances, 1,000 per cent upon his investment. Such dishonest pretense as this and kindred acts is what gives impetus to the great unrest to-day.

There is no place in the American politics for the blather-skite or hypocrite. There is a demand, however, for the brave and courageous leader of men and public thought who will meet all questions with a courage that only fears the wrong. The man who shapes his thoughts in soft and pleasing speech to attract the masses to his leadership, regardless of the justness of his cause, is a traitor to right and a menace to our institutions of government. The country is calling aloud to-day for a leader who can turn a face of flint against the masses regardless of their numbers when their demands are selfish and unjust. The controversies between labor and capital have been coaxed and encouraged by the present-day demagogue until their estrangement presents another grave danger of the present hour. Labor and capital should be bosom friends. The prosperity of the Nation depends upon their companionship. The happiness of the one depends entirely upon the contentment of the other. Neither can prosper when the other fails. If I have counted accurately the pulse beats of the Nation or read aright the public mind, I have learned that the whole people are looking with field glasses for the man who can espouse that side of our domestic disputes that is right and just and with an equal firmness spurn the side of wrong regardless of the numbers for or against. There is wanted a Goliath in our modern-day politics who hews straight to the line, letting the chips fall where they may. Whoever this leader is to be he must be a man imbued with love for his own country. His chief mission must be here and not abroad meddling in the affairs of strangers and permitting strangers to have a voice in ours—a man who believes in a league of Americans. When such leadership is found our domestic questions will be readily solved.

I can not help but think that the best patriotic thought of America is opposed to the proposed Wilsonian entangling alliance that would forever take away from nations the right to mind their own business.

I am forced to the belief that America, through a reckless and ambitious leadership, has drifted far afield in the year just past. Persuaded by the false allurements of a union of governments, national rights and independence of action would be bartered and frittered away forever. The price is more, vastly more, than the patriotism of America would ever be willing to pay. My belief is that when the people of this country realize and understand the hypocrisy and deceit contained in the unreserved covenant of this proposed alliance they will speak in unmistakable fashion. Briefly, let me say, it is an attempt to pull down the Stars and Stripes and unfurl instead the flag of internationalism.

England wants this particular League of Nations because she now controls, by virtue of this treaty, more than one-fourth of all the globe. Much of this territory has been taken by force from unwilling peoples; has been taken from peoples who will loosen the British yoke when some day they have found opportunity and strength. This will mean war, and England wants to now forswear the great nations of the world to help her in her fight to retain her domination when that time comes. Other countries of the Old World join with her in an attempt to bind the United States in this unholy alliance because they, too, have, by the terms of this same treaty, become the beneficiaries of territories and peoples to which they have no color of right. They, too, fear the time when the day of reckoning will come; for that time must come, because the sins of nations, like the evil that men do, will some day find them out.

At the close of the World War a new map of Europe was drawn by hands that often cared but little for human rights. Peoples and territories were moved about from government to



other sovereignty much as pawns are moved from place to place on the chessboard. The high ideals of those who, when war raged, asserted the principles of self-determination became mockeries at the peace table. Those who gave expression to these lofty thoughts when the blood of the universe flowed from a million wounds and more were the same men who made mockery of their own speech at the first opportunity. For many months behind closed doors, where the world could not look on, they flched from friend and foe alike.

Not until the curtains were drawn and the public was allowed to look in upon their work was the rape of China known—China, big, honest, yet unaroused China that had looked upon us as a friend in any hour of need. The pity is that America stood by and refused to interfere while this big friendly country struggled for release from those who committed this cowardly, dastardly assault. Even to this day the President and those who blindly followed him say the Senate of the United States must not write words into this treaty that would at least disclaim consent on our part to the outrage. This treaty takes Shantung, a rich and populous Province, from the greatest Republic in the East, a trusting, loyal, and confiding friend of ours, and gives it to Japan, the most overbearing and autocratic monarchy on the face of the globe. Think you the day of retribution will never come? Great and glaring sins never go unpunished, and when the hour comes for this great nation of the Orient to strike, conscience will impel every country that loves right and justice and truth to blend their arms with hers.

As hateful and unthinkable as the Shantung affair may appear to all men of honor and integrity, it can not overshadow England's treachery to Egypt and her people. When that country was coaxed and influenced to enter into the whirlpool of blood she was promised not only her release from Turkish interference but absolute independence, provided the allied arms should win.

The treaty of peace was written and signed and Egypt's representatives were never allowed admittance to the peace conference. They knocked but were denied their seats. In their enforced absence the following sentence relating to Egypt was incorporated into the treaty and is found on page 63 of the Senate print of that document and is numbered article 147:

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces the régime of the capitulations in Egypt.

Thus did our peace delegates become a party to another outrage, and the Senate of the United States is told that it must not write into the treaty a reservation which would say to England and to the Old World, "Do as you please with Egypt, but we do not lend to you our approval or consent."

Another provision vitally affects our own country. I refer to that clause that gives the British Empire six times the voting strength that is given to the United States. I can not understand how it is possible that any true American could ever agree that any nation should become six times greater than our own. Yet there are men who would sacrifice this principle in order that we might enter into these entangling alliances against which we have been warned by a whole line of distinguished men in the past.

I want to say here and now that this covenant of the League of Nations and the treaty, embodied as it is into one document as it stands to-day, is the most treacherous and un-American instrument of writing that was ever attempted to be fastened for all time upon the American people. Out of it all, however, comes a ray of hope and that is the great majority of the rank and file of the Democratic Party denounce it in unmistakable terms.

This document without reservations would mean an end to our national independence. It would mean a supergovernment composed of certain nations of the world of which we would be at best only a member state. It would surrender our right to independent self-government by transferring these powers and rights, in part at least, to alien councils. The very thought is so abhorrent and unthinkable to the real and true American mind that the wonder is that Woodrow Wilson, in his selfish ambition to create this new world power, could find one sympathetic mind in all the United States. He says the very heart and life of this covenant is found in article 10. Destroy or weaken it by reservations or otherwise, he says to the Senate, and you will break the great, big, throbbing heart of the world. Perhaps he mistakes his own heart for that of the universe.

God forbid that any man or set of men may ever grow so great and powerful that he or they can betray into strange and unsympathetic hands national rights that were wrenched from a despotic country by those who fought and bled a century and a half ago—rights, I submit, that were baptized in the blood that flowed from patriotic veins all along that seven years' pathway that led from Lexington to victory at Yorktown.

Article 10 takes from Congress the right to make war or not, and lodges this function in a council of nations. And neither would we have the poor privilege of selecting the side on which we could cast our lot. Under this deceitful document millions of American lads, at the command of alien authority, would be carried thousands of miles from home to fight in a stranger's war and perish in a foreign land in a cause not his or ours. This League of Nations is given by its authors a life perpetual, and this means that American boys throughout all the countless ages to come and go would fight and die in all the quarrels of Europe—quarrels in which they could have not even the remotest interest.

The proponents of this league claim it will put an end to war. They know that the nerves of the world are now unstrung and that the big and brave heart of our Nation is torn and mangled and bleeding and is hungry for a perpetual and everlasting peace. They take advantage of this state of mind and promise freedom for all time from the ravages of war. This promise is as false and deceitful as was the slogan, "He kept us out of war," about which you and I have heard so much. If not, why is it that every paragraph of the covenant points not the way to peace but the path that leads directly to war? If not, why is it that while our President absented himself from Washington assisting in its making, his Secretary of War was at that very time at home writing a proposed Army reorganization bill that provided for the most astounding and gigantic military system that the world had ever known? While the war raged and our brave and courageous men laid down their lives on a foreign battle field, we consoled the grief-stricken mother that her son had made the sacrifice that Germany's military system and its kind might perish from the earth. Notwithstanding this promise so solemnly made and at a time when men should speak the truth, the President and his Secretary of War have brought this Prussian military system to us many times multiplied. They have brought it to us all and more, only leaving behind the Kaiser himself.

The great mass of the people, be they Democrats or Republicans, are neither fools nor knaves and can not always be led astray by promises that are false. To keep the United States out of war is only a piker's job, so the President now desires to extend his field of activities to the entire universe. This statement, I fear, follows too closely upon the heels of his former pledge to carry with it the weight of credulity. That wing of the Democratic Party that asks us to join our fortunes and our lives with strange and alien nations seeks to allay our fears by promises of universal and perpetual peace. At the same time they seek to place within our midst an armed camp of nearly 600,000 Regular soldiers, augmented annually by a force of nearly a million of compulsorily trained 19-year-old boys. Away with such hypocrisy. It is so rotten that its stench penetrates every home throughout our beloved country. If this military machine is necessary, if danger is lurking in the near future, or if, indeed, we must become the policemen of the world, let us say so. Be honest and candid with the masses who are entitled to the truth. I do not know what the future, be it far or near, may hold, but I can not believe at this present moment, when the world is taking stock, that we should write into any law mandatory authority for compulsory military training. This may be necessary in the very near future, but surely this burden should not be placed upon the taxpayers and the boys until with a better vision we can penetrate the needs of the future.

Yes, many of the countries of Europe want this particular League of Nations, because in its covenant or constitution our country agrees to go to their aid when summoned with its millions of men and its billions of wealth. Standing, as we do to-day, at the dawn of a new era, let me appeal to you, let me appeal to your hearts and your reason, regardless of partisan politics, to close your ears to the call of the rotten monarchs of the Old World who fear the crumbling of their thrones.

Let us listen only to the voice of America as she calls aloud for a league of her own nationals, whose dominant thought will be the preservation of America and her soul-inspiring traditions. Let us listen to the voices of Washington, Jefferson, Madison, Monroe, Lincoln, and McKinley. These men are dead, but their advice and judgment and warning still live. Their lives stand out in our history to-day as monuments to the immortality of constitutional America. Their lives stand out to-day like guideposts pointing out the road to safety and perpetuity and warning against the pitfalls and intrigues of Europe and her quarrels.

We stand to-night awaiting the approach of two great national conventions, where presidential candidates will be selected and party platforms written. The people, having grown weary of false promises and this new internationalism, have



turned their eyes and rest their hopes upon the Chicago convention. At that convention war lords may occupy seats as delegates and try to force a nomination and party platform that would wed the Republican Party to a militaristic program. There will be men in both the Republican and Democratic conventions who will attempt to fasten upon the Republic this monstrous and costly military machine to which I have just referred—a system that would conscript each year nearly a million of our young men for military training; would, after training, place them in reserve for future service; would, for this purpose, keep intact throughout our land our draft boards. Under this plan these young men would be taken out of the industries where they are so much in demand. They would be taken from farm, and factory, and mine, and shop, and mill, and every other place of human endeavor. This would be done notwithstanding they are all calling for more help now. These men base their judgment upon the demands of 4,000,000 boys who have so recently laid down their arms. They claim these young men are demanding that this military machine be kept alive, and are clamoring for high-up military officials for public office.

If I have listened and understand aright their story, these boys are asking for nothing of the sort. When I say this I mean the real soldier, the private and the junior officer who fought in trench and out in no man's land, where bullets flew, where shells went screeching and screaming and bursting by, carrying with them their cruel messages of death, out there where their comrades fought with them and fell. I mean, too, these boys who were called into camp and were made to do military duty at home. These men who passed through this hell and lived, I am told, will never vote for their superior officers, who never smelled the smoke of battle, but in places of comfort and safety wore the insignia of a high-up officer, an insignia that only meant a class distinction between him and them.

But why waste time on this question? I predict that the Republicans at Chicago will select a big, broad-minded, patriotic man, who is a real statesman, to lead them to victory this fall; an American who pays homage to no king or potentate, whose love for this country is so great and constant that he can not share with any other a divided allegiance; a man who will be safe and sane and universally loved for his loyalty to country and admired for his courage and transcendent ability.

I do not know what the platforms of political parties will contain, but I do know that Americanism unalloyed is going to be forced into the campaign of every candidate by the people, whether that candidate would have it so or not. My opinion is that the people of the Nation demand more nationalism and less internationalism. My opinion is that the people of this country desire to attend unhelped to their own business and allow other countries to do the same. And for this reason my belief is that the League of Nations without strong and clear-cut reservations will be distasteful to them.

They are not now, and never will be, misled by promises of universal and everlasting peace. They pray for this, it is true, because they hate war. It leaves in its wake broken homes and heartaches and deep sorrow, and if they had their way they would banish it from the world forever. They can not forget, either, that the same men who are now making these promises are the same men who a few years ago, before the Great World War commenced, were saying that the world had grown too enlightened to ever again be deluged in war. These are the same men who were so sure at that time that the dogs of war had been so securely chained that they could never break their fetters, that they had even coaxed the dove of peace to build her nest and hatch her brood in the very mouths of cannon that only yesterday were belching forth a destruction to all the world's civilization.

We pray for peace and pray again that our prayers may be answered, but we can not help but remember that ever since time began down to the present hour there has never been an age but what some country has been grappling at the throat of some other country in a death struggle for national existence.

I fear this will be true as long as the greed of nations and nationals are allowed to be controlling factors. But surely we can not escape war by agreeing in this covenant to defend with our resources the boundary lines of Europe as they were made by this treaty. But our great danger is that too many in our midst are mindful of other interests, forgetting our own. In this connection, let me say that as horrible and distasteful as war is to the well-thinking mind, we can not be led astray by bartering away our country into alien hands. The President has said himself that this particular League of

Nations sets up a supergovernment that far overshadows our own. I quote his language exact in a speech at Kansas City, September 6, 1919. I am quoting now:

I have, let me say without the slightest affectation, the greatest respect for the United States Senate; but, my fellow citizens, I have come to fight for a cause. That cause—the League of Nations—is greater than the Senate. It is greater than the Government. It is as great as the cause of mankind.

I am quite sure that the President has spoken the truth, and without reservations our country, as a free and independent Nation, would cease to exist. This being true, is it not time for all real lovers of their country to place here and now upon this monster's head an iron heel and crush out its life before it can sink its poisonous fangs deep into our Nation's flesh?

"It is greater than the Government," God forbid. The tears and the heartaches of every American mother who ever gave a son in battle from Bunker Hill all along that long and winding path that leads from there into the battle fields of France cry out against it. If this is true, and we should enter into this arrangement, then we have falsified the tongue of old Liberty Bell and have made a lie out of Bunker Hill. Perry's victory becomes a farce. In doing this we write deceit all over the face of the entire story of Appomattox.

If this be true, San Juan Hill was a mockery and Chateau-Thierry was a meaningless and unprovoked tragedy—Chateau-Thierry, where the American boys threw themselves into the vortex of blood and battle, snatching victory from the greedy grasp of the German hordes; Chateau-Thierry, where these same unconquerable khaki-clad lads turned the face of the German Army toward home, and they never stopped until they had planted the flag of freedom upon the ramparts, I hope, of an everlasting liberty.

Two paths open up before us, so let us choose now, that our choice may live among traditions immortal. Let us have nothing of this new internationalism, but dedicate anew our old nationalism, and we will challenge the admiration of those in our midst who love liberty and its cause. Do this and America will, with a renewed hope and abiding faith, welcome the unborn generations.

Let us put men in office who are Americans—men who can withstand the smiles and blandishments of king and queen, of prince and princess, and stand as immovable as the towering peaks of the everlasting hills for the perpetuity of our own Government and its institutions.

Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the Record on the conference report.

Mr. KEARNS. It is not on the conference report.

Mr. WALSH. On what?

Mr. CALDWELL. Reserving the right to object, Mr. Speaker, on what subject? Is it the bonus?

Mr. KEARNS. No; it is not the bonus.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAVIS of Minnesota. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. FIELDS].

The SPEAKER. The gentleman from Kentucky is recognized for one minute.

Mr. FIELDS. Mr. Speaker and gentlemen of the House, I desire to join in the sentiment expressed by other gentlemen in regard to the splendid work done by the House conferees on this bill. Everyone knows that in view of the obstacles that they have encountered in another body in their former efforts to accomplish a like result, this agreement was not reached without effort on their part. Therefore, in view of the splendid achievement to which they have attained through years of effort, the House and the country are under heavy obligations to each of them and under additional obligations to the gentlemen who have led this fight for so many years with an eye single to the general welfare through the establishment of an equitable distribution of the burdens of taxation for the District of Columbia and the enactment of other statutes necessary to cure evils of long standing in the affairs of the District, and especially in its relations to the General Government.

When I entered Congress almost 10 years ago, my attention was attracted by the efforts of my colleague from Kentucky [Mr. JOHNSON] and the gentleman from Mississippi [Mr. Sisson] to write into our statutes these necessary and much needed reforms, the former directing his attention and effort to questions of general legislation for the District, and the latter directing his energies to the correction of the taxing system, by which the Federal Government was paying more than its proportionate share of the revenues necessary to the maintenance of the District government. These two gentlemen started their

respective fights single-handed and for a time received but little support and less encouragement from the membership of the House. But that did not deter them. Each of them continued the fight, with the result that new and additional support was added each year until the evils of which they complained, and to which they have called the attention of the House and the country, have been corrected in large measure, in some instances in their entirety, by the enactment of appropriate statutes.

Mr. Speaker, it required both sacrifice and courage on the part of these two gentlemen to carry their fight over a period of years as they did—sacrifice because their efforts in the beginning did not attract the attention of their respective constituencies, who were not particularly interested in the character of legislation to which their Representatives were devoting their efforts for the reason that they, like the rest of the country, were not familiar with the conditions that existed and therefore did not realize the necessity for, or the importance of, the efforts that their Representatives were exerting. It required courage because they were confronted for the first few years of their effort with the overwhelming opposition of the House and the almost unceasing fire of the press of the District and the bitter criticism of the entire population of the District. But conscious of the correctness of their position and the justice of their cause, they fought on, meeting arguments and dissipating them, encountering obstacles and overcoming them, until success has crowned their efforts, by which millions of dollars have been saved and additional millions will be saved to the Federal Treasury. I therefore congratulate the gentleman from Mississippi [Mr. Sisson] and my colleague [Mr. Johnson] for the work that they have done and the splendid victory that each of them has won, for which their constituencies, the country, and the Congress owe them an everlasting debt of gratitude. [Applause.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. DAVIS of Minnesota. Mr. Speaker, I move the previous question on the final adoption of the conference report.

The SPEAKER. The gentleman from Minnesota moves the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record on this conference report.

The SPEAKER. The gentleman from Michigan asks unanimous consent to revise and extend his remarks on the conference report. Is there objection?

There was no objection.

#### EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record on the subject of economy and the national defense.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his own remarks in the Record on economy and the national defense. Is there objection?

Mr. CRAMTON. Reserving the right to object, does that include a discussion of the bonus?

Mr. TILSON. It does not.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to extend my remarks on the conference report.

The SPEAKER. Is there objection to the gentleman's request?

Mr. WALSH. Unless this is done within two days I shall object, and I shall object to all future extensions unless they are made within two days.

The SPEAKER. Does the gentleman from Kentucky make the request with that limitation?

Mr. FIELDS. Yes.

Mr. CRAMTON. I will ask the gentleman from Massachusetts [Mr. Walsh] whether he includes Sunday in the two days?

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

The SPEAKER. The Chair would state that a number of gentlemen have spoken to the Chair and said they could not be present all the while and they objected to extensions on the bonus, and they requested that the Chair would ask, when requests were made to extend, on what subject it was desired

to extend. On what subject does the gentleman from Virginia intend to extend?

Mr. FLOOD. Not on the bonus.

Mr. TAYLOR of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the part that the State of Colorado took in the World War.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the Record on the part that his State took in the World War. Is there objection?

There was no objection.

Mr. WOODS of Virginia. Mr. Speaker, I ask unanimous consent to extend remarks in the Record on the conference report just adopted.

The SPEAKER. The gentleman from Virginia asks unanimous consent to extend remarks in the Record on the conference report just adopted. Is there objection?

There was no objection.

Mr. KREIDER. Mr. Speaker, I ask unanimous consent to extend remarks in the Record, not on the bonus.

Mr. WALSH. Well, on what?

Mr. KREIDER. On the national defense and economy.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAKER. I ask unanimous consent to extend my remarks in the Record on Asiatic immigration, with a letter from the Secretary of State and a letter from the Secretary of Labor.

The SPEAKER. The gentleman from California asks unanimous consent to extend remarks in the Record on Asiatic immigration and to publish the letters referred to. Is there objection?

There was no objection.

#### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills and joint resolution:

H. R. 406. An act amending an act entitled "An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California, and granting rights in, over, and through the Sierra Forest Reserve, the Santa Barbara Forest Reserve, and the San Gabriel Timberland Reserve, Calif., to the city of Los Angeles, Calif.," approved June 30, 1906;

H. R. 4311. An act to authorize the addition of certain lands to the Caribou National Forest;

H. R. 6222. An act to remove a certain tract or lots of land in Cristobal, Canal Zone, from the operation and effect of the Executive order of the President of December 5, 1912, pursuant to the act of Congress of August 24, 1912 (37 Stat., ch. 390, p. 565);

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan to the American Legion Post, No. 73, Vincennes, Ind., necessary cots for use at the State encampment of the American Legion to be held at Vincennes, Ind., on June 28 and 29, 1920;

H. R. 13870. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 13587. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 14101. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act; and

H. R. 14384. An act to amend the penal laws of the United States.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARREN, Mr. CUR-



TIS, and Mr. UNDERWOOD as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 30.

*Resolved by the Senate (the House of Representatives concurring).* That in the enrollment of the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, the Clerk be, and is hereby, authorized and directed to number the sections thereof in consecutive order.

The message also announced that the Senate had passed without amendment the bill (H. R. 14208) to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended.

JAMES MILLS—LEAVE TO WITHDRAW PAPERS.

Mr. FESS, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of James Mills, Sixty-sixth Congress, no adverse report having been made thereon.

DISTRIBUTION OF WAR TROPHIES.

Mr. KAHN. Mr. Speaker, I ask unanimous consent for the present consideration of S. 643, to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and the District of Columbia.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and is hereby, authorized and directed to apportion and distribute pro rata among the several States and Territories of the United States and the District of Columbia in corresponding ratio as the total number of men serving in the armed forces of the United States, as hereinafter provided, from each State or Territory and the District of Columbia bears to the total number of men so serving from all States and Territories and the District of Columbia, all cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies captured by the armed forces of the United States from the armed forces of Germany and allied nations, with the exception of such cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies as may be required for experimental purposes or for actual use by the armed forces of the United States; and the further exception of such of the devices aforementioned as may be required for display in museums of a national character or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

SEC. 2. That the apportionment and distribution provided for in this act shall be undertaken and completed as soon as practicable after the return of the aforementioned war devices and trophies to the United States; and that for the purposes of this act the Secretary of the United States Navy, or such person as he may direct, and The Adjutant General of the United States Army, shall separately or jointly compile or cause to be compiled a report or reports showing the number of men in the armed forces of the United States accredited to each State or Territory of the United States and to the District of Columbia, either by enlistment or by the process of the selective-service act or otherwise drawn into and becoming an integral part of the armed forces of the United States during the period hereinafter specified, and that such report or reports shall be laid before the Secretary of War as soon as practicable after the passage of this act, and in no event later than six months from date hereof, and shall serve as the basis for the pro rata apportionment and distribution among the several States, Territories, and the District of Columbia as hereinafter provided.

SEC. 3. That in the case of the States and Territories the apportionment and distribution, as provided for in this act, shall be made through the governor or chief executive of each of the several States and Territories.

SEC. 4. That for the purposes of this act the term "in the armed forces of the United States," wherever used in this act, shall be construed to include all men enlisted, drafted, or otherwise drawn into and becoming an integral part of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, and all other armed forces of the United States whatsoever; and that the period of service in the armed forces of the United States, as hereinafter provided, shall be construed to begin with the effective date of the declaration of a state of war between the United States and Germany on April 6, 1917, and to end on the effective date of the armistice between the United States and Germany at 11 o'clock on November 11, 1918; and that the report or reports of men accredited to each of the several States and Territories and the District of Columbia shall be confined to the period between those two dates, inclusive.

SEC. 5. That all transportation charges on war devices and trophies, as indicated from point of shipment to point of final delivery within the several States, Territories, and counties thereof, and the District of Columbia, shall be borne by the United States Government, but not the expenses or costs incident to erection in local communities.

SEC. 6. That on and after the passage of this act no award or distribution of war devices or trophies captured during the period specified shall be made except as herein provided, and all legislation conflicting herewith is hereby repealed.

SEC. 7. That to carry out the provisions of this act there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of \$1,000,000, or so much thereof as may be necessary, to be administered by the Secretary of the Treasury.

With the following committee amendments:

On page 2, line 2, after the word "by," insert the words "or surrendered to."

On page 3 strike out all of section 3 and insert the following in lieu thereof:

"SEC. 3. That in the case of the several States the apportionment and distribution as provided for in this act shall be made through the Senators and Representatives comprising the State Delegations in Congress from each State; in the case of the several Territories, through the Delegate to Congress from each Territory; and in the District of Columbia, through the Board of Commissioners of the District of Columbia. The Secretary of War is hereby authorized and empowered to make all rules and regulations to carry this act into effect."

On page 4, lines 2 and 3, strike out the words "United States" wherever they appear on said lines.

On page 4, line 16, after the word "to," insert the word "a."

On page 4, line 17, strike out the word "final" at the beginning of said line and also the word "and" at the end of said line.

On page 4, line 18, strike out the words "counties thereof."

On page 4, line 19, after the word "expenses," insert the words "of final delivery."

On page 4, line 24, after "captured," insert "or surrendered."

On page 5, line 6, strike out the figures "\$1,000,000" and insert the figures "\$100,000" in lieu thereof.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on the committee amendments.

Mr. GARRETT. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman from Tennessee.

Mr. GARRETT. Mr. Speaker, the confusion in the Hall while the bill was being read was quite considerable. It is a bill in which there is a considerable amount of public interest. I suggest to the gentleman from California that I think it would be well if he would give us just a few minutes of explanation of the bill.

Mr. KAHN. I will be very glad to do that. There has been a great deal of interest manifested in these relics by the country and by the Members of the House. Some 4,000 bills have been introduced and referred to the Committee on Military Affairs calling for the distribution of some of these war relics.

This bill provides that these relics shall be distributed by the governors of the different States in proportion to the number of soldiers, sailors, marines, and coast guard men who entered the war from their respective States. The House committee, however, changed by amendment the method of distribution and provided for the distribution by the congressional delegations, including the Senators and Representatives, of the different States.

There are a great many of these relics, and I feel confident that every Member of the House will be able to get some trophy, even for the smallest village in his district. Of course, the large pieces are fewer in number. There are about 2,195 large cannon. There are about 100,000 rifles. There are about 10,000 machine guns, and gentlemen will remember that a machine gun is a very respectable trophy. There are a great many caissons which can be distributed, two-wheeled vehicles upon which these trophies can be mounted. There are a great many of the German fur knapsacks, which make very respectable-looking relics. So I feel that the Members of this House will have an ample opportunity to provide some relics of the World War, something captured by our troops or surrendered by the enemy, to every one of the different communities of the country.

Mr. BRIGGS. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. BRIGGS. Will the gentleman tell me how soon these things will be available for distribution? Does the gentleman know?

Mr. KAHN. They are ready for distribution now, and it will be a good thing to have the distribution begin at once, because a great deal of storage space is in use to store this material, which storage space can probably be used to better advantage.

Mr. BRIGGS. Can the gentleman further tell me upon what conditions they will be delivered, whether the Government will deliver them at certain points with the freight paid or not?

Mr. KAHN. The bill provides that they shall be delivered for each State at some one point in that State. The Government will pay the freight charges to that point, but from that point to the local communities the freight charges will be paid by the communities themselves.

Mr. BRIGGS. This bill, therefore, is practically an omnibus bill, incorporating all the provisions of the other bills relating to this subject.

Mr. KAHN. Exactly so.

Mr. GARD. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman from Ohio.

Mr. GARD. The bill has for its first effect the distribution of these relics pro rata to the States?

Mr. KAHN. Yes.

Mr. GARD. Then, it has as a second effect the distribution within the States through the Senators and Representatives?

Mr. KAHN. Yes.

Mr. GARD. Under rules and regulations to be prescribed by the Secretary of War?

Mr. KAHN. The gentleman is correct.

Mr. GARD. Have the committee in their minds any purpose as to the proportion of the distribution to be made by Senators and the proportion to be made by Representatives in each State, or is that a matter of regulation by the Secretary of War?

Mr. KAHN. That is a matter of regulation, but possibly in some of the States the Senators and Members will be able to agree among themselves. At any rate, the Secretary of War has authority to make the regulations.

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. KAHN. Yes.

Mr. BANKHEAD. The distribution as between the States will not be based upon the fact whether or not a special bill was introduced in Congress?

Mr. KAHN. Oh, no. I should imagine that the Members from the different States will get together and agree among themselves that they will distribute to the communities in their States in proportion to the number of soldiers, sailors, and marines who come from the community.

Mr. BEE. Will the gentleman from California yield?

Mr. KAHN. Yes.

Mr. BEE. Will it be possible under this bill for a Member who wants to distribute these things in his district to ascertain from the War Department the number to which he will be entitled?

Mr. KAHN. In the report on the bill—Report 279—the gentleman will see a number of tables which apportion the various articles to the States in proportion to the number of soldiers, sailors, and marines who went from those States.

Mr. BEE. But, if the gentleman will permit, that is not quite the question.

Mr. KAHN. I was coming to that. Of course, a State having received so many of each class of relics, the delegation can figure out among themselves how much each Member is entitled to for his district.

Mr. SIMS. Will not the gentleman have the report printed in the Record?

Mr. KAHN. I should be very glad to ask unanimous consent to do that, although the report is very full.

Mr. JAMES. Will the gentleman yield?

Mr. KAHN. I will.

Mr. JAMES. According to the provisions of the bill, no cannon can be distributed in any State unless the delegation decides on the program, and that would postpone the distribution until next December.

Mr. KAHN. I imagine the delegations of the different States can get together before we adjourn and decide on a program tentatively.

Mr. JAMES. Even if they do, there will not be any distribution immediately.

Mr. KAHN. They will be held in storage for the States until the delegation does meet. I imagine that every State delegation will find it convenient to meet in the near future and agree about the local distribution.

Mr. MILLER. Will the gentleman yield?

Mr. KAHN. I will.

Mr. MILLER. The appropriation in this bill is reduced from \$1,000,000 to \$100,000.

Mr. KAHN. The bill originally provided for the sending of these relics to different parts of the States. Of course, under the amendment of the House they will be sent to one central point in the State, and so we felt that \$100,000 would be ample to pay the freight charges and packing charges.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. HULL of Iowa. It is true, is it not, that if the State delegations want to they can delegate this distribution to the governor of the State or the adjutant general of the State if they desire not to have the distribution themselves?

Mr. KAHN. That can be done.

Mr. TILSON. Will the gentleman yield?

Mr. KAHN. I will be glad to.

Mr. TILSON. I would like to ask the gentleman if it was intentional or an oversight that the Resident Commissioners of Porto Rico and the Philippine Islands are not included?

Mr. KAHN. It was not an oversight. The War Department recommended this legislation and made no provision for them,

and I assume that they have some extra pieces which they intend to send to those two possessions.

Mr. TILSON. I notice in the gentleman's report he speaks of 75s; is that a misprint for 77s?

Mr. KAHN. That is what the War Department sent down to me. Probably most of them are 77s; and yet, the Germans themselves captured a good many 75s and then bored them so that they were 77s. They were really 75s. I do not know how that matter came about, but I took the figures that the War Department sent.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DAVIS of Tennessee. Does the bill provide for the distribution of all the artillery available for distribution?

Mr. KAHN. Not only artillery, but machine guns, rifles, bayonets, scabbards, knapsacks, and dozens of other war relics.

Mr. DAVIS of Tennessee. As a matter of fact, there are not enough to give one fieldpiece to each congressional district, are there?

Mr. KAHN. I think there are enough to give two or three to each congressional district. There are 2,195 of these fieldpieces.

There are only 435 congressional districts—and then the Senators will come in on the distribution.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. KAHN. I will.

Mr. TAYLOR of Colorado. What arrangement is there between the Senate and the House as to the distribution?

Mr. KAHN. There is no arrangement.

Mr. TAYLOR of Colorado. How soon will this material be available for distribution?

Mr. KAHN. It is available now. I believe it is stored over in New Jersey.

Mr. DYER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DYER. The gentleman, I am sure, did not include Porto Rico through an oversight.

Mr. KAHN. No; I just answered that question. I took the figures and the bill that the War Department sent down here, and assume that the War Department has some extra pieces which they propose to send to the Philippines and Porto Rico.

Mr. DAVILA. Will the gentleman yield?

Mr. KAHN. I will yield to the gentleman from Porto Rico.

Mr. DAVILA. I am not sure that the Territory of Hawaii is included in this provision. Porto Rico should have been included, and the Secretary of War given discretion in the distribution. If there is any discrimination, I think it should not be made in the matter of Porto Rico.

I want to remind the Members of the House that Porto Rico was loyal and did her part in the Great War as well as other portions of the United States. I think an amendment should be adopted giving Porto Rico a part of this distribution.

Mr. KAHN. I will say that the Philippine Islands were also very loyal during the war. The Porto Rico Regiment went down to Panama and served there faithfully during the war. They allowed us to withdraw our Regulars from the Canal Zone by their patriotism. They gave splendid service; but, of course, this bill refers to the Territories and the States, but the insular possessions are not referred to.

Mr. HULL of Iowa. They are referred to in the report, and they will get their proportion of the distribution.

Mr. KAHN. I think there will be no difficulty about that; they will get it directly from the War Department.

Mr. BRIGGS. Will the gentleman yield?

Mr. KAHN. I will.

Mr. BRIGGS. The bill provides that they shall be apportioned according to the number of troops. Have the adjutants general completed the records yet?

Mr. KAHN. Yes.

Mr. BRIGGS. Were compiled by The Adjutant General, and he has not yet completed those records, as I understand it.

Mr. KAHN. I think the gentleman will find them on the first and second pages of the report. They are all complete and apportionment has been made on those figures.

Mr. OGDEN. Mr. Speaker, will the reduction in the appropriation from \$1,000,000 to \$100,000 retard the distribution?

Mr. KAHN. I do not believe it will. Originally the bill intended to spread them out everywhere. Now we only send them to a central point in every State.

Mr. HUDSPETH. Mr. Speaker, the gentleman has explained that the congressional delegations should distribute these guns; but if, for instance, I wanted for my district all cannon and my neighbor Mr. BEE should also make the request, who would be the arbitrator as between us?



Mr. KAHN. I think it would be the duty of the gentleman as a Representative to explain to the people of his district that this is property that ought to be distributed evenly.

Mr. HUDSPETH. I do not think the gentleman catches my point. If we had a disagreement, if there was a disagreement between Congressmen, who would be the arbitrator—the Secretary of War?

Mr. KAHN. I think so.

Mr. HUDSPETH. That is the question that I was trying to get at.

Mr. KAHN. I think he has the right to make regulations. The report on the bill is as follows:

[House Report No. 979, Sixty-sixth Congress, second session.]

#### DISTRIBUTION OF WAR DEVICES AND TROPHIES.

Mr. KAHN, from the Committee on Military Affairs, submitted the following report to accompany S. 643:

The Committee on Military Affairs, to whom was referred the bill (S. 643) to provide for the equitable distribution of war devices and trophies to the States and Territories of the United States and to the District of Columbia, has had the bill under consideration and reports the same to the House with the recommendation that it do pass with the following amendments:

On page 1, line 13, after the word "by," insert the words "or surrendered to."

On page 3 strike out all of section 3 and insert the following in lieu thereof:

"Sec. 3. That in the case of the several States the apportionment and distribution as provided for in this act shall be made through the Senators and Representatives comprising the State delegations in Congress from each State; in the case of the several Territories through the Delegate to Congress from each Territory; and in the District of Columbia through the Board of Commissioners of the District of Columbia. The Secretary of War is hereby authorized and empowered to make all rules and regulations to carry this act into effect."

On page 3, lines 15 and 16, strike out the words "United States" wherever they appear on said lines.

On page 4, line 4, after the word "to," insert the word "a."

On line 5 strike out the word "final" at the beginning of said line and also the word "and" at the end of said line.

On line 6 strike out the words "counties thereof."

On line 7, after the word "expenses," insert the words "of final delivery."

On line 17 strike out the figures "\$1,000,000" and insert the figures "\$100,000" in lieu thereof.

It is the intention of this legislation to give authority to the War Department to distribute the field guns, howitzers, and trench mortars, as well as the machine guns and other material captured by or surrendered to the American Army in the war with Germany, to the various States, Territories, and the District of Columbia in proportion to the total number of troops furnished by each during the World War between April 7, 1917, and November 11, 1918, including Regular Army, National Army, National Guard, Navy, Marine Corps, Coast Guard, and United States Guards. There are also a considerable number of rifles, machine guns, and other matériel that can be distributed.

The bill as passed by the Senate provided that the distribution shall be made through the governor or chief executive of each State of the several States and Territories. Your committee recommends that the distribution shall be made through the Senators and Representatives comprising the State delegations in Congress from each State, from the several Territories by the Delegate to Congress from each Territory, and in the District of Columbia through the Board of Commissioners of the District of Columbia.

The Secretary of War is also authorized and empowered to make all rules and regulations to carry the act into effect.

The following letter of the Secretary of War explains the attitude of the War Department upon the legislation:

WAR DEPARTMENT,  
Washington, March 12, 1920.

The CHAIRMAN MILITARY AFFAIRS COMMITTEE,  
House of Representatives, Washington, D. C.

MY DEAR MR. KAHN: There was forwarded to you on March 9 a confidential statistical report (Special Report No. 144) showing the amount of captured enemy matériel now on hand in this country and the allocation of the matériel as provided by the Wadsworth bill (S. 643).

I wish to urge that the bill as now written be passed. It is the opinion of the War Department that the distribution by the War Department and the allocation and distribution after arriving in each State by the governor thereof is simplified as provided for in the bill.

I beg further to inform you that the War Department is ready to distribute the matériel, as provided for in the Wadsworth bill, as soon as funds are made available.

The War Department will be pleased to furnish you any other information you may desire on this subject.

Very truly, yours,

NEWTON D. BAKER,  
Secretary of War.

The following is a list showing the total number of troops furnished by each State and Territory during the war:

Total troops furnished by each State and Territory during the war, Apr. 7, 1917, to Nov. 11, 1918, including Regular Army, National Army, National Guard, Navy, Marine Corps, Coast Guard, and United States Guards.

State.	Total troops.	Percent of total.
New York.....	493,892	10.37
Pennsylvania.....	370,961	7.79
Illinois.....	320,228	6.72
Ohio.....	243,548	5.11
Texas.....	198,228	4.16
Massachusetts.....	193,415	4.06
Michigan.....	168,131	3.53
Missouri.....	163,700	3.44

#### Total troops furnished by each State and Territory, etc.—Continued.

State.	Total troops.	Per cent of total.
California.....	154,930	3.25
New Jersey.....	138,691	2.91
Indiana.....	130,670	2.74
Minnesota.....	123,325	2.59
Wisconsin.....	122,215	2.55
Iowa.....	119,792	2.51
Georgia.....	102,786	2.16
Oklahoma.....	95,100	2.00
Virginia.....	93,499	1.96
Kentucky.....	91,821	1.93
Tennessee.....	91,386	1.92
North Carolina.....	88,168	1.85
Alabama.....	86,916	1.82
Louisiana.....	80,834	1.70
Kansas.....	78,733	1.65
Arkansas.....	71,862	1.51
Connecticut.....	67,092	1.41
West Virginia.....	65,127	1.37
Mississippi.....	64,758	1.35
South Carolina.....	64,739	1.35
Washington.....	63,775	1.31
Maryland.....	61,899	1.30
Nebraska.....	59,287	1.24
Colorado.....	44,802	.94
Montana.....	44,048	.92
Florida.....	42,301	.87
Oregon.....	41,071	.85
South Dakota.....	34,662	.73
Maine.....	31,887	.67
North Dakota.....	30,033	.63
Rhode Island.....	26,468	.56
District of Columbia.....	24,853	.52
Idaho.....	23,371	.49
Utah.....	22,571	.47
Porto Rico.....	18,477	.39
New Hampshire.....	18,404	.39
New Mexico.....	15,162	.32
Arizona.....	13,377	.28
Wyoming.....	13,209	.28
Vermont.....	11,923	.25
Delaware.....	9,379	.20
Hawaii.....	6,557	.14
Philippine Islands.....	6,535	.14
Nevada.....	5,972	.12
Norfolk.....	3,834	.08
Alaska.....	2,381	.05
Samoa.....	2,211	.044
Guam.....	262	.005
Virgin Islands.....	67	.001
Total.....	4,764,071	

The following is a list of the field guns, howitzers, trench mortars, and other war material to be distributed and the number of each class of materials apportioned to the various States, etc.:

#### Distribution of artillery and trench mortars, by States.

	Guns and howitzers.							Trench mortars.			Total guns and trench mortars.	Vehicles.
	75 mm.	88 mm.	100 mm.	105 mm.	120 mm.	135 mm.	150 mm.	75 mm.	100 mm.	240 mm.		
Alabama.....	7	1	1	1	1	1	1	3	3	3	40	73
Alaska.....	1	1	1	1	1	1	1	1	1	1	1	2
Arizona.....	1	1	1	1	1	1	1	1	1	1	6	11
Arkansas.....	6	1	1	1	1	1	1	2	2	3	33	60
California.....	13	1	14	1	14	5	14	5	5	5	72	130
Colorado.....	4	1	4	1	4	1	4	1	1	1	21	38
Connecticut.....	6	1	6	1	6	2	6	2	2	2	31	56
Delaware.....	1	1	1	1	1	1	1	1	1	1	4	8
District of Columbia.....	2	1	2	1	2	1	2	1	1	1	11	21
Florida.....	4	1	4	1	4	1	4	1	1	1	20	35
Georgia.....	9	1	10	1	9	3	9	3	3	4	47	86
Idaho.....	2	1	2	1	2	1	2	1	1	1	11	20
Illinois.....	27	1	30	2	29	10	28	9	11	11	148	269
Indiana.....	11	1	12	1	12	4	11	4	1	5	60	110
Iowa.....	10	1	11	1	11	4	11	4	4	4	55	101
Kansas.....	7	1	7	1	7	2	7	2	1	3	36	66
Kentucky.....	8	1	9	1	8	3	8	3	3	4	42	77
Louisiana.....	7	1	8	1	7	2	7	2	1	3	37	68
Maine.....	3	1	3	1	3	1	3	1	1	1	15	27
Maryland.....	5	1	6	1	6	2	5	2	2	2	29	52
Massachusetts.....	16	1	17	1	17	6	17	6	7	7	89	162
Michigan.....	14	1	15	1	15	5	15	5	1	6	78	141
Minnesota.....	10	1	11	1	11	4	11	4	1	4	57	103
Mississippi.....	5	1	6	1	6	2	6	2	1	2	30	54
Missouri.....	14	1	15	1	15	5	14	5	1	6	76	137
Montana.....	4	1	4	1	4	1	4	1	2	2	20	37
Nebraska.....	5	1	6	1	5	2	5	2	2	2	27	50
Nevada.....	1	1	1	1	1	1	1	1	1	1	3	5
New Hampshire.....	1	1	1	1	1	1	1	1	1	1	8	15
New Jersey.....	13	1	14	1	12	4	12	4	5	6	64	116
New Mexico.....	1	1	1	1	1	1	1	1	1	1	7	13
New York.....	41	4	49	4	44	15	43	15	17	17	228	423
North Carolina.....	7	1	8	1	8	3	8	3	3	3	41	74
North Dakota.....	3	1	3	1	3	1	3	1	1	1	14	25
Ohio.....	20	1	21	2	23	7	21	7	9	9	112	204
Oklahoma.....	8	1	9	1	9	3	8	3	3	3	44	80
Oregon.....	3	1	4	1	4	1	4	1	1	1	19	35
Pennsylvania.....	31	3	35	3	33	11	33	11	13	13	171	311
Rhode Island.....	2	1	2	1	2	1	2	1	1	1	12	22

## Distribution of artillery and trench mortars, by States—Continued.

	Guns and howitzers.							Trench mortars.			Total guns and trench mortars.	Vehicles.
	75 mm.	88 mm.	100 mm.	105 mm.	120 mm.	135 mm.	150 mm.	4.2 in.	75 mm.	240 mm.	245 mm.	
South Carolina.....	5	...	6	...	6	2	1	6	2	...	2	54
South Dakota.....	3	...	3	...	3	1	1	3	1	...	1	16
Tennessee.....	8	...	9	...	8	3	...	8	3	...	3	42
Texas.....	17	...	19	...	18	6	2	17	6	...	7	166
Utah.....	2	...	2	...	2	1	...	2	1	...	1	19
Vermont.....	1	...	1	...	1	...	...	1	...	...	...	6
Virginia.....	8	...	9	...	8	3	1	8	3	...	3	43
Washington.....	5	...	6	...	6	2	1	6	2	...	2	29
West Virginia.....	5	...	6	...	6	2	1	6	2	...	2	30
Wisconsin.....	10	1	11	...	10	4	1	11	4	...	4	56
Wyoming.....	1	...	1	...	1	...	2	1	...	...	...	11
Guam.....	1	...	1	...	1	...	...	1	...	...	...	1
Hawaii.....	1	...	1	...	1	...	...	1	...	...	...	3
Philippine Islands.....	1	...	1	...	1	...	...	1	...	...	...	3
Samoa.....	1	...	1	...	1	...	...	1	...	...	...	1
Virgin Islands.....	1	...	1	...	1	...	...	1	...	...	...	1
Porto Rico.....	2	...	2	...	2	1	...	2	...	...	...	15
Total.....	404	10	3,449	7	10,427	144	13	418	141	10	161	2,197

## Distribution of artillery and trench mortars, by caliber.

[Artillery issued to the service is for technical use and for the National Museum. In addition to items shown, 1 German tank, 4 German tractors, 43 German motor trucks, and 347 airplanes have been issued to the service. There are included in the artillery issued to the service 51 pieces of artillery sold to the Navy. In addition to the 3,242 pieces of artillery received there are 51 pieces of calibers 7, 62, 77, 120, 155, 210 mm. and 4.2, 6, and 8 inch awaiting decision as to ownership, as they were originally allied pieces captured by the enemy and then later taken by the United States Army.]

	For issue to States.	Issued to service.	Retained by Ordnance Department.	Total.	Per cent for States.	Per cent issued to service.	Per cent retained by Ordnance Department.
245 mm. tractor mortar.....	161	7	2	170	95	4	...
76 mm. tractor mortar.....	418	32	2	452	93	7	...
170 mm. tractor mortar.....	141	33	2	156	91	8	...
120 mm. gun.....	7	1	...	8	88	12	...
150 mm. gun.....	427	43	29	499	85	9	6
77 mm. gun.....	404	71	12	487	83	15	...
210 mm. gun.....	144	20	23	187	77	11	...
4.2-inch gun.....	13	...	10	23	57	...	43
135 mm. gun.....	10	2	7	19	53	...	37
240 mm. tractor mortar.....	10	8	2	20	50	40	10
88 mm. gun.....	10	2	13	25	40	8	52
105 mm. gun.....	449	51	651	1,151	39	4	57
100 mm. gun.....	3	2	4	9	33	22	45
Total guns.....	2,197	252	757	3,206	...	...	...
Vehicles.....	4,000	...	550	4,550	...	...	...

<sup>1</sup> In addition, 36 guns are being held to furnish missing parts on guns allocated to States.

## Distribution of small articles, by States.

	Rifles.	Machine guns.	Bayonets and scabbards.	Arm insignia, assorted.	Badges, machine-gun.	Badges, wound.	Bags, feed, large.	Bags, saddle, paper.	Bags, surplus kit, paper.	Bags, musette, paper.
Alabama.....	1,260	142	894	40	22	191	92	9	10	136
Alaska.....	35	5	25	1	1	5	3	1	1	4
Arizona.....	197	28	138	6	3	30	14	2	2	21
Arkansas.....	1,050	151	739	33	17	158	76	8	9	113
California.....	2,272	325	1,593	71	37	341	163	17	18	243
Colorado.....	654	94	461	21	11	99	47	5	5	70
Connecticut.....	983	141	690	31	16	148	71	7	8	105
Delaware.....	138	20	97	4	3	21	10	1	1	15
District of Columbia.....	353	52	256	11	6	55	26	3	3	39
Florida.....	621	89	435	20	11	93	45	5	5	65
Georgia.....	1,523	216	1,057	40	25	226	108	11	12	161
Idaho.....	346	50	243	11	6	52	25	3	3	37
Illinois.....	4,722	672	3,294	148	77	726	337	34	38	501
Indiana.....	1,920	274	1,344	60	31	288	138	14	15	205
Iowa.....	1,760	232	1,232	55	29	264	126	13	14	188
Kansas.....	1,155	165	820	36	19	173	83	9	8	124
Kentucky.....	1,348	192	944	42	22	202	97	10	10	144
Louisiana.....	1,187	169	832	37	19	178	85	9	9	128
Maine.....	468	67	328	15	8	70	34	4	4	50
Maryland.....	908	129	636	29	15	136	65	7	7	97
Massachusetts.....	2,890	416	1,989	89	47	426	252	21	23	304
Michigan.....	2,466	352	1,729	78	40	370	177	19	20	264
Minnesota.....	1,810	259	1,269	57	30	272	130	14	15	193
Mississippi.....	950	136	666	30	16	143	68	7	8	102
Missouri.....	2,402	343	1,684	76	39	360	172	18	19	257
Montana.....	644	93	453	20	11	97	46	5	5	69
Nebraska.....	871	125	620	27	14	130	62	7	7	93
Nevada.....	87	12	61	3	1	13	6	1	1	9

## Distribution of small articles, by States—Continued.

	Rifles.	Machine guns.	Bayonets and scabbards.	Arm insignia, assorted.	Badges, machine-gun.	Badges, wound.	Bags, feed, large.	Bags, saddle, paper.	Bags, surplus kit, paper.	Bags, musette, paper.
New Hampshire.....	270	38	189	8	4	40	19	2	2	29
New Jersey.....	2,035	291	1,426	64	33	305	146	15	16	218
New Mexico.....	222	31	156	7	4	33	16	2	2	24
New York.....	7,300	1,046	5,080	238	119	1,087	510	55	59	768
North Carolina.....	1,295	185	907	41	21	194	93	10	10	138
North Dakota.....	441	63	309	14	7	66	32	3	4	47
Ohio.....	3,585	521	2,515	113	59	536	256	27	29	381
Oklahoma.....	1,397	200	963	44	20	209	100	11	11	149
Oregon.....	611	87	429	19	10	92	44	5	5	65
Pennsylvania.....	5,452	789	3,826	171	89	814	359	41	44	576
Rhode Island.....	380	57	272	12	6	58	28	3	3	42
South Carolina.....	950	136	666	30	16	143	68	7	8	102
South Dakota.....	510	73	357	16	8	76	37	4	4	54
Tennessee.....	1,343	192	940	42	22	201	96	10	11	143
Texas.....	2,910	417	2,049	91	48	436	209	22	24	311
Utah.....	342	48	232	10	5	50	24	3	3	26
Vermont.....	175	25	123	5	3	26	13	1	1	19
Virginia.....	1,374	197	962	43	23	206	99	10	11	147
Washington.....	933	134	656	29	15	140	67	7	8	124
West Virginia.....	956	137	670	30	16	144	69	7	8	102
Wisconsin.....	1,795	257	1,257	56	29	269	129	15	15	192
Wyoming.....	194	28	136	6	3	29	14	1	2	21
Guam.....	4	5	2	1	1	1	1	1	1	1
Hawaii.....	97	14	68	3	2	14	7	1	1	10
Philippine Islands.....	96	14	67	3	2	14	7	1	1	10
Porto Rico.....	271	39	190	8	4	41	19	2	2	29
Samoa.....	32	5	23	1	1	5	2	1	1	3
Virgin Islands.....	1	2	1	1	1	1	1	1	1	1
Total.....	70,000	10,000	49,000	2,197	1,147	10,497	5,023	531	567	7,479

	Bits, assorted.	Boxes, machine-gun belt.	Breeching, horse, paper.	Buckles and hooks, belt.	Cans, small round tin.	Cans, machine-gun water.	Canteens, assorted.	Carriers, assorted.	Cases, assorted.	Cases.
Alabama.....	48	52	16	2,043	14	102	169	5	8	132
Alaska.....	1	1	1	81	1	3	5	1	1	4
Arizona.....	7	8	3	469	2	17	26	1	1	20
Arkansas.....	42	43	13	1,515	11	93	141	4	7	109
California.....	85	93	29	1,423	24	202	301	8	15	235
Colorado.....	25	27	8	1,569	7	58	87	2	4	68
Connecticut.....	37	40	12	1,348	11	92	131	3	7	115
Delaware.....	5	6	2	329	2	12	18	1	1	14
District of Columbia.....	14	15	5	871	4	32	48	1	2	38
Florida.....	23	25	8	1,482	7	55	82	2	4	64
Georgia.....	56	68	19	1,599	16	134	200	6	10	156
Idaho.....	13	14	4	867	4	31	46	1	2	36
Illinois.....	175	193	59	10,219	50	417	623	17	31	486
Indiana.....	72	79	24	3,573	20	170	254	5	13	198
Iowa.....	66	72	22	3,196	16	156	233	5	12	187
Kansas.....	43	47	14	1,758	12	103	153	4	8	120
Kentucky.....	50	55	17	3,115	14	120	179	5	9	139
Louisiana.....	44	49	15	2,731	13	105	157	4	8	123
Maine.....	18	19	6	1,015	5	42	65	2	3	48
Maryland.....	34	37	11	2,066	10	81	127	3	6	94
Massachusetts.....	106	116	36	6,670	30	252	377	11	19	294
Michigan.....	92	101	31	5,783	26	219	327	9	16	255
Minnesota.....	68	74	23	4,211	20	161	240	5	12	187
Mississippi.....	35	39	12	2,270	10	84	126	4	6	98
Missouri.....	80	98	30	5,629	25	213	319	9	16	241
Montana.....	24	27	8	1,443	7	57	86	2	4	61
Nebraska.....	32	36	11	2,050	9	77	115	3	6	90
Nevada.....	3	4	1	2,015	1	8	12	1	1	9
New Hampshire.....	10	11	3	639	3	24	36	1	2	28
New Jersey.....	76	83	25	4,816	22	181	270	8	14	210
New Mexico.....	8	9	3	5,188	2	19	29	1	1	23
New York.....	271	297	91	17,290	77	642	961	27	48	750
North Carolina.....	48	53	16	3,078	14	115	172	5	9	124
North Dakota.....	16	18	6	1,051	5	39	58	2	3	46
Ohio.....	133	146	45	8,516	38	817	472	13	24	369
Oklahoma.....	51	57	17	3,330	15	124	185	5	9	144
Oregon.....	23	25	8	1,455	7	54	81	2	4	63
Pennsylvania.....	203	223	68	12,991	58	493	721	20	36	563
Rhode Island.....	15	16	5	927	4	35	52	1	3	40
South Carolina.....	35	39	12	2,266	10	84	126	4	6	98
South Dakota.....	19	21	6	1,215	5	45	68	2	3	53
Tennessee.....	50	55	17	3,200	14	119	178	5	9	139
Texas.....	109	119	36	6,938	31	258	386	11	19	301
Utah.....	12	14	4	701	4	29	44	1	2	34
Vermont.....	7	7	2	4,080	2	16	23	1	1	18
Virginia.....	51	56	17	3,275	15	122	182	5	9	142
Washington.....	35	38	12	2,236	10	83	124	3	6	97
West Virginia.....	36	39	12	2,290	10	85	127	4	6	99
Wisconsin.....	67	73	22	4,278	19	159	238	7	12	185
Wyoming.....	7	8	2	462	2	17	25	1	1	20
Guam.....	1	1	1	1	1	1	1	1	1	1
Hawaii.....	4	4	1	231	1	9	13	1	1	10
Philippine Islands.....	4	4	1	223	1	9	13	1	1	10
Porto Rico.....	10	11	3	644	3	24	36	1	2	28
Samoa.....	1	1	1	75	1	3	4	1	1	3
Virgin Islands.....	1	1	1	2	1	1	1	1	1	1
Total.....	2,611	2,867	877	162,835	746	6,203	9,273	259	466	7,238



Distribution of small articles, by States—Continued.

	Chevrans, medical.	Containers, food, assorted.	Covers, assorted.	Fillers, grain sack.	Forks and spoons, folding.	Grenade throwers.	Halters, assorted.	Helmets, assorted.	Helmets, ornamental, eagle.	Kits, machine-gun repair.
Alabama.....	42	251	38	46	12	27	109	218	132	5
Alaska.....	1	7	1	1	1	1	3	6	4	1
Arizona.....	8	39	6	7	2	4	17	34	20	1
Arkansas.....	35	219	32	38	10	22	90	180	122	4
California.....	75	450	68	81	22	48	184	388	235	4
Colorado.....	22	130	20	23	6	14	56	112	68	3
Connecticut.....	32	195	30	35	9	21	84	168	102	4
Delaware.....	5	27	4	5	1	3	12	24	14	1
District of Columbia.....	12	72	11	13	3	8	31	62	38	1
Florida.....	21	123	19	22	6	13	53	106	64	2
Georgia.....	49	299	45	54	14	32	129	258	156	3
Idaho.....	12	69	10	12	3	7	30	59	36	1
Illinois.....	154	940	141	168	45	99	400	800	485	18
Indiana.....	63	380	58	60	18	41	164	328	198	7
Iowa.....	58	348	53	63	17	37	150	300	182	7
Kansas.....	38	229	35	41	10	24	99	198	120	5
Kentucky.....	44	267	43	48	13	28	115	230	139	5
Louisiana.....	39	235	36	42	11	25	102	203	123	5
Maine.....	16	93	14	17	4	10	40	80	48	2
Maryland.....	30	190	27	35	9	19	78	155	94	4
Massachusetts.....	93	561	85	101	27	62	243	485	294	11
Michigan.....	81	484	74	88	23	52	211	435	255	10
Minnesota.....	59	368	55	65	17	38	155	309	187	7
Mississippi.....	31	188	29	34	9	20	81	162	98	4
Missouri.....	79	476	72	86	23	50	205	410	248	9
Montana.....	21	128	19	23	6	14	55	120	67	3
Nebraska.....	28	182	26	31	8	18	74	148	90	3
Nevada.....	3	17	3	3	1	2	7	15	9	1
New Hampshire.....	9	53	8	10	3	6	23	46	28	1
New Jersey.....	67	401	61	73	19	43	173	347	210	8
New Mexico.....	7	44	7	8	2	5	19	38	23	1
New York.....	238	1,435	218	258	69	153	620	1,238	749	28
North Carolina.....	42	265	39	46	12	27	111	221	134	5
North Dakota.....	14	87	13	16	4	9	38	75	46	2
Ohio.....	117	707	108	128	34	75	306	610	369	14
Oklahoma.....	46	276	42	50	13	30	132	239	144	5
Oregon.....	20	121	18	22	6	13	52	104	63	2
Pennsylvania.....	179	1,078	164	194	52	115	466	931	562	21
Rhode Island.....	13	77	12	14	4	8	33	66	40	2
South Carolina.....	31	188	29	34	9	20	81	162	98	4
South Dakota.....	17	101	15	18	5	11	44	87	53	2
Tennessee.....	44	266	40	48	13	28	115	229	139	5
Texas.....	95	576	88	104	28	61	259	497	301	11
Utah.....	11	66	10	12	3	7	38	56	34	1
Vermont.....	6	35	5	6	2	4	15	30	18	1
Virginia.....	45	272	41	49	13	29	117	234	142	5
Washington.....	31	185	28	37	9	20	80	160	97	4
West Virginia.....	31	189	29	38	9	20	81	163	99	4
Wisconsin.....	59	355	54	64	17	38	153	306	185	7
Wyoming.....	6	38	6	7	2	4	17	33	20	1
Guam.....	1	1	1	1	1	1	1	1	1	1
Hawaii.....	3	2	3	3	1	2	8	16	10	1
Philippine Islands.....	3	2	3	3	1	2	8	16	10	1
Porto Rico.....	9	54	8	10	3	6	23	46	28	1
Samoa.....	1	6	1	1	1	1	3	6	1	1
Virgin Islands.....	1	1	1	1	1	1	1	1	1	1
Total.....	2,297	13,848	2,106	2,497	666	1,478	5,984	11,951	7,235	273

	Knapsack, fur covered.	Knapsack, plain.	Knots, sabel, assorted.	Lances, Uh-lan.	Lanterns, trench.	Ornaments, helmet, side.	Plates, body armor.	Ropes, picket.	Saws, flexible handled.	Spurs.
Alabama.....	125	88	1,753	11	31	4,580	5	12	8	13
Alaska.....	3	2	48	1	1	125	1	1	1	1
Arizona.....	19	14	270	2	5	702	1	2	1	2
Arkansas.....	103	73	1,450	9	25	3,770	4	10	7	10
California.....	221	158	3,125	19	53	8,130	9	20	14	23
Colorado.....	64	46	935	6	15	2,350	3	6	4	8
Connecticut.....	96	68	1,353	8	23	3,520	4	9	6	10
Delaware.....	13	10	189	1	4	493	1	1	1	1
District of Columbia.....	35	25	521	3	9	1,305	2	3	2	4
Florida.....	61	43	853	5	15	2,220	3	6	4	6
Georgia.....	146	105	2,072	13	35	5,395	6	10	9	15
Idaho.....	34	24	476	3	8	1,238	2	3	2	3
Illinois.....	456	326	6,459	40	112	16,805	20	43	31	47
Indiana.....	186	133	2,636	16	45	6,858	8	15	12	17
Iowa.....	171	122	2,416	15	42	6,287	7	16	11	15
Kansas.....	112	80	1,588	10	27	4,133	5	11	7	11
Kentucky.....	132	99	1,852	11	32	4,817	5	12	8	13
Louisiana.....	115	82	1,631	10	28	4,243	5	11	7	12
Maine.....	45	32	643	4	12	1,673	2	4	3	5
Maryland.....	88	63	1,247	8	22	3,245	4	8	6	9
Massachusetts.....	275	197	3,900	24	67	10,150	13	25	18	26
Michigan.....	239	171	3,397	21	58	8,822	11	20	16	25
Minnesota.....	176	126	2,485	15	43	6,475	7	15	11	10
Mississippi.....	92	66	1,306	8	22	3,397	4	9	6	9
Missouri.....	234	167	3,320	20	56	8,590	11	20	15	22
Montana.....	63	45	889	6	15	2,312	3	6	4	6
Nebraska.....	85	60	1,195	7	20	3,110	4	8	5	9
Nevada.....	8	6	120	1	2	313	1	1	1	1
New Hampshire.....	26	19	370	2	6	965	1	2	2	3

Distribution of small articles, by States—Continued.

	Knapsack, fur covered.	Knapsack, plain.	Knots, sabel, assorted.	Lances, Uh-lan.	Lanterns, trench.	Ornaments, helmet, side.	Plates, body armor.	Ropes, picket.	Saws, flexible handled.	Spurs.
New Jersey.....	198	144	2,798	17	48	7,277	9	17	13	20
New Mexico.....	22	15	306	2	5	795	10	18	14	20
New York.....	702	506	9,960	62	170	25,917	33	61	43	72
North Carolina.....	125	90	1,778	11	30	4,627	6	12	8	13
North Dakota.....	43	31	625	4	10	1,575	2	4	3	4
Ohio.....	346	248	4,910	30	84	12,780	16	33	20	31
Oklahoma.....	135	100	1,918	12	33	4,990	6	13	9	14
Oregon.....	59	42	841	5	14	2,188	3	6	4	6
Pennsylvania.....	528	378	7,480	46	128	19,467	25	50	35	54
Rhode Island.....	38	27	534	3	9	1,390	2	4	2	4
South Carolina.....	92	66	1,306	8	22	3,397	4	9	5	9
South Dakota.....	49	35	700	4	12	1,820	2	5	3	5
Tennessee.....	130	93	1,843	11	32	4,795	6	10	7	13
Texas.....	282	202	4,055	25	68	10,402	12	26	18	27
Utah.....	32	23	455	3	8	1,185	2	3	2	3
Vermont.....	17	12	240	1	4	625	1	2	1	2
Virginia.....	133	95	1,855	12	32	4,907	5	12	9	14
Washington.....	91	65	1,286	8	22	3,347	4	9	6	9
West Virginia.....	93	66	1,314	8	22	3,417	4	9	6	9
Wisconsin.....	174	124	2,464	15	41	6,412	7	16	6	18
Wyoming.....	19	13	256	2	5	693	1	2	1	2
Guam.....	1	1	5	1	1	13	1	1	1	1
Hawaii.....	9	7	133	1	2	34	1	1	1	1
Philippine Islands.....	9	7	133	1	2	34	1	1	1	1
Porto Rico.....	26	19	372	2	6	970	1	2	2	3
Samoa.....	3	2	44	1	1	115	1	1	1	1
Virgin Islands.....	1	1	1	1	1	3	1	1	1	1
Total.....	6,780	4,857	96,154	595	1,646	249,798	318	637	444	695

	Stirrups, as-sorted.	Surcingle.	Torches, blow.	Traces, harness, assorted.	Trimming for helmets.	Empty shells, 150 mm.	Empty shells, 170 mm.	Brass cartridge cases.
Alabama.....	96	8	10	12	130	371	747	100
Alaska.....	3	1	1	1	4	10	20	3
Arizona.....	15	1	2	2	20	57	115	15
Arkansas.....	79	6	9	10	108	307	618	83
California.....	171	13	19	22	232	662	1,332	170
Colorado.....	49	4	5	6	67	191	385	52
Connecticut.....	74	6	8	10	100	287	577	77
Delaware.....	10	1	1	1	26	40	81	11
District of Columbia.....	27	2	3	4	37	106	214	29
Florida.....	47	4	5	6	63	181	364	49
Georgia.....	103	9	12	15	154	439	884	110
Idaho.....	26	2	3	3	35	101	203	27
Illinois.....	350	28	38	46	479	1,367	2,753	370
Indiana.....	144	11	16	19	195	558	1,124	151
Iowa.....	132	10	10	17	179	512	1,039	138
Kansas.....	87	7	9	11	118	336	677	91
Kentucky.....	101	8	11	10	137	392	790	106
Louisiana.....	89	7	10	12	131	348	695	93
Maine.....	35	3	4	5	48	136	306	37
Maryland.....	68	5	7	9	93	264	532	71
Massachusetts.....	213	17	23	28	290	826	1,762	223
Michigan.....	185	15	20	24	251	718	1,445	194
Minnesota.....	136	11	15	18	185	527	1,060	142
Mississippi.....	71	6	8	9	97	276	607	75
Missouri.....	180	14	20	23	245	700	1,407	189
Montana.....	49	4	5	6	66	188	379	51
Nebraska.....	65	5	7	8	89	253	510	68
Nevada.....	7	1	1	1	9	25	51	7
New Hampshire.....	20	2	3	3	28	78	158	21
New Jersey.....	153	12	17	20	207	593	1,192	160

Distribution of small articles, by items.

	For issue to States.	Issued to service.	Total available for issue.	Per cent for States.	Per cent issued to service.
Carriers, assorted.....	259	.....	259	100	.....
Cases, assorted.....	466	.....	466	100	.....
Covers, assorted.....	2,106	.....	2,106	100	.....
Surcingle.....	421	.....	421	100	.....
150-mm. empty shells.....	20,356	.....	20,356	100	.....
170-mm. empty shells.....	40,995	.....	40,995	100	.....
Knots, saber, assorted.....	96,154	200	96,354	99.8	.....
Bits, assorted.....	2,611	11	2,622	99.0	.....
Bags, large feed.....	5,023	23	5,046	99.5	.....
Brass cartridge cases.....	5,500	25	5,525	99.5	.....
Cans, small tin.....	746	6	752	99	.....
Bayonets and scabbards.....	49,000	500	49,500	99	.....
Bags, saddle, paper.....	531	5	536	99	.....
Bags, musette, paper.....	7,479	50	7,529	99	.....
Breeching, horse, paper.....	877	7	884	99	.....
Stirrups, assorted.....	5,381	50	5,431	99	.....
Traces, harness, assorted.....	7,781	10	7,791	99	.....
Cases.....	7,238	100	7,338	99	.....
Containers, food, assorted.....	13,848	200	14,048	99	.....
Knapacks, fur covered.....	6,780	150	6,930	98	.....
Machine guns.....	10,000	200	10,200	98	.....
Badges, wounded.....	10,497	250	10,747	98	.....
Bags, surplus kit, paper.....	567	10	577	98	.....
Canteens, assorted.....	9,273	200	9,473	98	.....
Fillers, grain sack.....	2,497	50	2,547	98	.....
Grenade throwers.....	1,478	25	1,503	98	.....
Halters, assorted.....	5,984	100	6,084	98	.....
Helmets, assorted.....	11,961	300	12,261	98	.....
Lances, Uhlan.....	595	10	605	98	.....
Ropes, picket.....	637	10	647	98	.....
Saws, flexible handled.....	444	10	454	98	.....
Spurs.....	695	10	705	98	.....
Torches, blow.....	571	10	581	98	.....
Knapacks, plain.....	4,857	150	5,007	97	.....
Rifles.....	70,000	2,000	72,000	97	.....
Cans, machine gun, water.....	6,203	200	6,403	97	.....
Helmet, ornaments, eagle.....	7,235	200	7,435	97	.....
Lanterns, trench.....	1,646	50	1,696	97	.....
Plates, body, armor.....	318	10	328	97	.....
Chevrons, medical.....	2,297	100	2,397	96	4
Kits, machine gun, repair.....	273	10	283	96	4
Ornaments, helmet, side.....	249,798	10,000	259,798	96	4
Trimming, for helmets.....	7,137	300	7,437	96	4
Buckles and hooks, belt.....	162,835	10,000	172,835	94	6
Boxes, machine gun, belt.....	2,867	200	3,067	93	7
Arm insignia, assorted.....	2,197	250	2,447	90	10
Fork and spoon, folding.....	666	100	766	87	13
Badges, machine gun.....	1,147	250	1,397	82	18
Total.....	841,117	26,342	867,459	97	3

Mr. KAHN. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and on a division (demanded by Mr. CAMPBELL of Pennsylvania) there were—ayes 82, noes 22.

So the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KAHN, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### WOMAN'S BUREAU IN THE DEPARTMENT OF LABOR.

Mr. CAMPBELL of Kansas. Mr. Speaker, I call from the Speaker's table the bill (H. R. 13229) to establish in the Department of Labor a bureau to be known as the woman's bureau, with Senate amendments thereto, and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Kansas calls up a House bill (H. R. 13229), with Senate amendments thereto. The Clerk will report the Senate amendments.

The Clerk reported the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

Mr. GARD. Mr. Speaker, will the gentleman explain what the amendments are?

Mr. CAMPBELL of Kansas. The language in the bill as it passed the House was "shall make an investigation." The Senate amended that by inserting the words "shall be authorized to make" investigations. In the provisions about equipment the words "and so forth" are used, and those words were stricken out by the Senate. Those are the only two Senate amendments. I move to concur in the Senate amendments.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

#### BONITA, LA.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a bill (S. 3244) to authorize the Secretary of the Interior to issue a patent to R. L. Credille, mayor of the village of Bonita, La., in trust for certain purposes, a similar House bill having been favorably reported from the Committee on the Public Lands.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to consider the bill, which the Clerk will report.

The Clerk read as follows:

*Be it enacted, etc.*, That upon payment to the United States of \$1.25 per acre, the Secretary of the Interior be, and is hereby, authorized to issue patent to R. L. Credille, mayor of the village of Bonita, La., for the south half of the southwest quarter, section 5, township 22 north, range 8 east, Louisiana meridian, situated in Morehouse Parish, La., in trust for the use and benefit of the persons, estates, firms, or corporations now claiming said lands or parts thereof under or by virtue of titles derived from or through the State of Louisiana or its grantee, L. S. Neighbours, of which said lands the present claimants and their grantors have had the actual possession as owners by virtue of titles derived from said State and its grantee for more than 30 years: *Provided*, That application for the purchase of the said described tract of land under this authorization shall be filed at the United States land office at Baton Rouge, La., within 60 days from the passage and approval of this act.

The true intent of this act is hereby declared to be to concede and abandon all right, title, and interest of the United States to those persons, estates, firms, or corporations who would be the true and lawful owners of said lands or parts thereof under the laws of Louisiana, including the laws of prescription, in the absence of said interest, title, and estate of the United States.

The SPEAKER. Is there objection?

Mr. LONGWORTH. Mr. Speaker, I reserve the right to object.

Mr. CHINDBLOM. Mr. Speaker, reserving the right to object, is this the same bill which was reached on the Unanimous Consent Calendar recently?

Mr. WILSON of Louisiana. No; this bill has never been called up. A similar House bill has been reported favorably by the Committee on the Public Lands.

Mr. LONGWORTH. Mr. Speaker, reserving the right to object, it occurs to me that the price is very low—\$1.25 an acre. What sort of land is this?

Mr. WILSON of Louisiana. This is one of those swamp-land grants, and went to the State of Louisiana. These people purchased it and secured title from the State and have been in possession for more than 40 years, but the State's selection was held for rejection by the United States, and that is the cause of the legislation. There is a school and two churches on this particular land.

Mr. GARD. Mr. Speaker, reserving the right to object, I gather from the reading of the bill that this is a matter affording proper relief to persons who have been occupying land for 30 or 40 years.

Mr. WILSON of Louisiana. Yes; under a patent from the State of Louisiana.

Mr. GARD. These allotments must be filed within a certain time?

Mr. WILSON of Louisiana. Within 60 days of the passage of the bill.

Mr. GARD. Are the applications open, or are they restricted to persons who thought they had title?

Mr. WILSON of Louisiana. To those persons who thought they had title and to no one else.

Mr. GARD. And \$1.25 is merely fixed by the department as a nominal price to protect these people in what they have always believed was their property.

Mr. WILSON of Louisiana. Yes.

Mr. GARD. Owing to some difference in survey or some error it is necessary to correct it in this way?

Mr. WILSON of Louisiana. Yes.

Mr. GARD. Is that the idea?

Mr. WILSON of Louisiana. The gentleman is exactly correct.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. WILSON of Louisiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. WILSON of Louisiana. Mr. Speaker, I ask that a House bill of similar tenor be laid on the table.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

#### RELIEF OF WATER USERS' ASSOCIATION, GARDEN CITY, KANS.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3852 for consideration.



The SPEAKER. The gentleman from Kansas asks unanimous consent to take from the Speaker's table the bill which the clerk will report.

The Clerk read as follows:

A bill (S. 3852) for the relief of the Garden City (Kans.) Water Users' Association, and for other purposes.

*Be it enacted, etc.,* That the contracts heretofore entered into between the Finney County Water Users' Association, of Finney County, Kans., or with individual landowners, and the Secretary of the Interior for the supply and use of water for the irrigation plant of the United States be, and the same are hereby, canceled and relieved; and the liens upon the lands in said county created by such contracts are hereby released and discharged.

SEC. 2. That the Secretary of the Interior shall make to Congress a statement of the expenditure connected with this reclamation project and the amount received from its sale.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STEVENSON. Mr. Speaker, I object.

Mr. TINCHER. Will the gentleman withhold his objection for a moment?

Mr. STEVENSON. I will reserve the right to object.

Mr. TINCHER. Mr. Speaker, I want to explain this to the gentleman and I do not believe he will object. There was one reclamation project where the Government undertook to produce water from wells, and that was at Garden City, Kans. There were 14,000 acres of land signed up in the contract for irrigation. They did not get the water and the Government has sold all its equipment, as shown in this report, and for the last three sessions of Congress the Senate has passed this bill releasing the lien of \$37 an acre on the land, which is not worth exceeding \$10 an acre. The Committee on Irrigation of the House has had a unanimous report in favor of this bill. Former Secretary Lane and the present Secretary have recommended its passage, and it simply operates to keep about 14,000 acres of land under a cloud as to title, and this is the only way of relieving it, and it does not do anyone any good. The reclamation was a failure, and it is the only occasion where they tried to bring the water out of wells.

Mr. STEVENSON. Who holds the lien to be released?

Mr. TINCHER. There was the usual reclamation contract. It is the only one where they did not get the water, so that the man signing the contract with the Government could get that for which he agreed to pay. There is a mortgage, I suppose you could call it, to the Government of \$37 an acre on the land. If they had got the water like they did in other reclamation projects that land would be worth \$200 an acre, but now the land is not worth exceeding \$10 an acre because there is no way of irrigating it. It is arid land. I hope the gentleman will not object.

Mr. STEVENSON. I hate to interfere with a local matter, but I do not like to see at this time a Government lien being released without—

Mr. TINCHER. Every Secretary has recommended this bill.

Mr. STEVENSON. I will object. I will look into it and I may withdraw it.

Mr. TINCHER. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Kansas moves to suspend the rules and pass the bill. Is a second demanded?

Mr. GARD. Mr. Speaker, I demand a second.

Mr. TINCHER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GARD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. GARD. Mr. Speaker, I do not desire to embarrass the business of the House; I will withdraw the point of no quorum if the gentleman can explain the bill to my satisfaction. I did not hear the explanation of the bill and I desire the gentleman to make one.

Mr. TINCHER. I want to say this is one of the reclamation projects, and the only one, where the Government tried to reclaim arid land by irrigation by digging wells, and that was at Garden City, Kans., some 18 or 19 years ago. There are 14,000 acres of land for which the man signing the usual reclamation contract agreed to pay \$37 an acre on the land. It was the only reclamation project of which I am familiar where the Government failed to get water.

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. TINCHER. I have yielded to the gentleman from Ohio [Mr. GARD] and am answering his question.

Mr. McKEOWN. Is it not a fact that it is the only time the Government has failed to get water?

Mr. TINCHER. According to my understanding you are quite right. My understanding is that the Government decided or that the reclamation officers decided after this experiment not to try to get water for irrigation in that way through that whole section of country. Now, here was what happened: The Government has sold its plant. They had a plant there—machinery, and so forth—and the report here shows that they sold it under act of Congress passed by the Congress and there was no effort made to carry out the transaction. Two or three times the Secretary of the Interior has rather faltered as to whether or not he did not have the right to release this lien, and the Secretary has reported favorably on this bill to the Committee on Irrigation.

Mr. TAYLOR of Colorado. Will the gentleman yield for another question?

Mr. TINCHER. Yes; I will gladly yield.

Mr. TAYLOR of Colorado. Is it not true that the Government has been trying for a good many years to get rid of this project and give it away to the people there and get it off its hands?

Mr. TINCHER. By selling it. I think the report I just handed the gentleman will show the amount of cash the Government received.

Mr. SINNOTT. Will the gentleman yield for a question in the nature of a statement?

Mr. TINCHER. I will.

Mr. SINNOTT. Is it not true that the Government abandoned the project and abandoned the contract and is not furnishing the water for which the lien was made?

Mr. TINCHER. Absolutely. For many years the Government has not attempted to furnish any water to it; in fact, never furnished any water to speak of—

Mr. CALDWELL. Will the gentleman state how many years this bill has been on the calendar?

Mr. TINCHER. For several years, but it never was reached.

Mr. CALDWELL. Why was it not brought up before?

Mr. TINCHER. There was no objection to it. I am quite sure there was no objection to it. It passed the Senate, and so there is no political significance to the bill.

Mr. BLAND of Indiana. There was an arrangement with the Government for certain things to be done, but those things were not done, and therefore the obligation was not performed by the Government?

Mr. SINNOTT. For water to be delivered.

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. GARRETT].

Mr. GARRETT. Mr. Speaker, I am familiar with the bill of the gentleman from Kansas and discussed the matter with him yesterday, and I have no objection to the bill. But I do want to say this: I do not feel—and I say it with some degree of reluctance, because of my personal regard for the gentleman—I do not feel that we ought to acquiesce in the suspension of the rules and pass private bills at this stage of the session. Now, there are upon the Private Calendar innumerable bills that have not been reached. The very philosophy of the rule that provides for suspension during the last six days of the session is to enable the House quickly and rapidly to do the business that it is essential to the country should be done. And it is a bad practice for the House to enter upon the suspension of the rules for passing a purely private bill. Numerous gentlemen—I have none myself—have private bills on the calendar. All the rest of the time—every minute of it from now until the gavel of the Speaker falls to-morrow afternoon—could be taken up in considering those private bills. I have made no objection to the gentleman getting the matter up by unanimous consent; but taking up the time by moving to suspend the rules, with always the possibility of the no-quorum point being made, seems to me is very bad practice, and I can not acquiesce in it.

Mr. TINCHER. Mr. Speaker, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I agree with the gentleman who has just spoken, that ordinarily the rules should not be suspended, except in an extraordinary case, in the passage of a private bill. But this is not exactly or entirely a private bill. This is a bill affecting individuals, it is true. It is a bill involving a question of public policy and affecting the fortunes of about 100 farmers organized into a water users' association. From their standpoint it might be said that it is a private bill. On the other hand, it is a bill affecting a general matter of public policy.

Mr. GARRETT. Will the gentleman yield?

Mr. MONDELL. If the gentleman will first allow me to make an explanation.

Mr. GARRETT. I wanted to ask if it was not on the Private Calendar?

Mr. MONDELL. Well, we have curious rules in regard to the Private Calendar, under which some private bills go to the Union Calendar and some public bills go to the Private Calendar.

The situation is this: Irrigation, in the main, the world over, is by gravity, but in some parts of the world conditions are such as to make it possible to irrigate land by pumping water. After the national reclamation law passed, there was a general demand throughout the country that somewhere in the semiarid region we should make the experiment of irrigation by pumping. The experiment was tried at Garden City, Kans., in the semiarid zone, under conditions that were considered fairly representative and reasonably favorable. The experiment was a failure, as many expected that it would be.

But that experiment had to be tried somewhere in America. People would not have been satisfied until somewhere in that great zone we tried out the question as to whether or not you can pump water a reasonable distance, apply it to lands, grow the ordinary crops, and make it pay. Well, we found that at the price of farm products—at the average cost under ordinary conditions—it did not pay. We have made our experiment. We entered into a contract with a lot of farmers in making the experiment. We were never able to deliver to them an abundant amount of water, for one thing. We delivered it to them, when we did deliver it, under conditions under which they could not afford to use it. And the result is that the Government abandoned the project, sold the machinery, and we are left with a contract covering some hundred farms, laying them under obligations for the estimated cost of the enterprise. It is an experiment that failed. It is the one experiment under the reclamation law that has failed, except one small project, where we found the reservoir would not hold water.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BLAND of Indiana. Does the gentleman know whether the \$1.25 will pay the expense the Government put on the land?

Mr. MONDELL. I do not think there is any \$1.25 involved here. This is a case where they were obligated to pay the cost of a project. The project has failed. The Government loses whatever its investment was. That is practically admitted by everybody, and you can not get away from it. We made an experiment that did not pan out. We had to try it out somewhere. We tried it out under conditions that were believed to be representative of a general region.

Now, there is no reason on earth why the Government should keep forever a lien on the farms of these farmers to whom we are not furnishing water, to whom we can not furnish water. We can not fulfill our part of the contract, and there is no reason why the contract should not be abrogated and the matter closed and forgotten. It is one of those things we have tried out in good faith, tried out properly; all that ought to have been done was done, and we have settled one question that had to be settled, and now we are straightening the matter out.

Mr. TAYLOR of Colorado. There is no reason why these farmers should pay the United States for the money it has lost in this unfortunate experiment, is there?

Mr. MONDELL. I do not think anybody would say they should.

Mr. TAYLOR of Colorado. The contract entered into between the Government and these farmers to deliver water to them has not been carried out at all?

Mr. MONDELL. It has not.

Mr. TAYLOR of Colorado. And so there is no reason why we should penalize these farmers for what the Government was unable to accomplish.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. CHINDBLOM. Do I understand correctly that this bill has passed the Senate in two former Congresses?

Mr. MONDELL. That is true.

Mr. CHINDBLOM. And has not been reached in due course in the House simply because of the pressure of business?

Mr. MONDELL. That is true.

Mr. CHINDBLOM. Would it not seem that when the matter has now reached the House and we have spent a few minutes upon it, and it is apparent that the Government is simply righting a wrong to these men, we ought to go through with it and pass it?

Mr. MONDELL. Well, I do not want to leave the matter without the statement being accurate and fair both to the Government and the men. The Government did no wrong. There is no wrong to be righted. Everybody, the farmers and the Government, did what was done in the best of faith, but it

was not possible to carry out the enterprise. The Government has abandoned it, and now Congress is called upon to restore the original condition.

Mr. TAYLOR of Colorado. I do not want to be misunderstood. The wrong is in the lien attached to this property.

Mr. MONDELL. The wrong will result if we do not now, having abandoned the project, abandon the claim. [Cries of "Vote!"]

Mr. GARD. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

The SPEAKER. The gentleman from South Carolina is recognized for five minutes.

Mr. STEVENSON. Mr. Speaker, it is very unusual that I ever object to any of the unanimous-consent requests. I am satisfied now that I was right in objecting when this request was made; not that I desire in any way to deprive the gentleman from Kansas [Mr. TINCHER] of any of his rights, but because this involves, as I caught it, a release by the Government of a claim which it has on the property, about which, I think, we should have some clear and definite explanation; and I realized when I made the objection that he could make a motion to take it up and pass it under a suspension of the rules, and that if it was a good-enough measure to bring up here on the last day of the session, and under these extraordinary circumstances, it certainly is good enough to commend itself to two-thirds of the Members who are present.

Now, the gentleman from Wyoming [Mr. MONDELL] says that it is a determination of policy. That is another reason why I object to its being determined by unanimous consent. Whenever we go to determine the policy of the Government as to these projects, we ought to have full information and full discussion. For that reason I regret to have to inconvenience the gentleman from Kansas. I have to stand by my objection to his having unanimous consent.

There is another matter about this. These gentlemen say that these farmers are subject to a great hardship because they have a lien on that land; that the Government has not been able to carry out its contracts. Well, a failure of consideration certainly prevents the enforcement of the lien, and certainly the farmers are not suffering from the fact that the Government has a paper which recites that the lien will be enforced, when the Government fails to carry out the terms of the contract. If this measure does not pass to-day, the gentleman will have the opportunity next December, long before the end of the year, to get it up in the regular way and pass it.

Mr. TINCHER. Mr. Speaker, will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. TINCHER. The farmers of Kansas find that farming is a very uncertain business. Last year and the year before, in this very vicinity, there was a crop failure. They have a habit there of mortgaging their farms to "get by" until they can get another crop. That is one reason why I have had so many letters asking me to favor this measure.

Mr. STEVENSON. If they desire to mortgage their farms, and the Government will come along and fulfill its contract so as to furnish the water to these farms, which it contracted to do, and thereby make the lien a valid lien, then the lien will be a valuable paper; and if not, certainly the lien that the Government has is not enforceable until it has complied with the terms of the contract.

Mr. TINCHER. The Government has absolutely abandoned the proposition there, as I stated to the gentleman from Massachusetts.

Mr. STEVENSON. I am not questioning that. I am merely justifying my position and requiring an explanation before the bill passes. I think when we come here to ask that a Government lien be discharged there ought to be some discussion of it before we turn loose the claim of the Government.

Mr. HERSMAN. Does not that constitute a cloud on the title?

Mr. STEVENSON. It does. But if the Government does not go on and complete its contract that cloud will not amount to anything. The land will be very valuable if the Government completes its contract, and there will be no trouble about it.

Mr. GARD. Mr. Speaker, the complaint I have about this bill is not a complaint that would apply to the Garden City Water Users' Association but applies to the kind of legislation that we are bringing out here under the extraordinary rule of suspending all rules.

My own idea about legislation is that those who participate in it should have some ordinary opportunity of knowing what it is. As to this bill, I do not yet know what it is. I have tried vainly for the last 10 or 15 minutes to get a copy of it. It is not at the distribution desk. I have obtained but one copy of the report, and, so far as I am advised, I suspect that I have



as much information on this as the average Member of the House has. I know but little about this proposition. I do not think—and I say it in all seriousness—that we should enter upon the discussion under a suspension of the rules and consideration at a time when we can not amend a proposition about which there may be differences of opinion, about which there may be a propriety of amendment.

Now, this bill is one which can have for its purpose only the removal of what might be technically characterized as a cloud upon the title of this land. I gather from the reading of the report—and I regret that I have been unable to obtain the bill, and therefore do not understand it as well as I possibly should—that there has been no operation of this irrigation system for this Garden City Water Users' Association since 1909, I believe.

Mr. TINCHER. That is right.

Mr. GARD. How long was it in use?

Mr. TINCHER. It never was used, because they did not get the water.

Mr. GARD. The matter is one where, from the report, which is all I have, it would seem that this association was formed for the purpose of getting water by some process of pumping for irrigation, I presume, on these semiarid lands or dry lands in Kansas; that the Government invested a considerable sum of money and undoubtedly did the best it could for the farmers to establish this irrigation project, and because they did not get a sufficient supply of water the proposition failed, and thereafter from time to time, from 1909 to 1917, the different elements of the property, finally including the railroad tracks, were sold, so that there is not anything out there now. The machinery is sold, and the railroad that was necessary for the work has been sold. In fact, there is nothing upon which the Government could make a lien now if it wanted to. There is no water; there is nothing which would affect any property owner down there except a bare legal obligation which those people made with the Government, which no court in the world would enforce, which the Government surely would not even attempt to enforce, because there is an entire lack of equity, owing to the failure of the consideration, namely, the water, which was the consideration in the matter of the contract.

Mr. TINCHER. I want to thank the gentleman for presenting the matter so much better than I could have presented it.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. HARDY of Texas. Does it not seem to the gentleman that no harm could come in this matter by letting it lie over?

There is no movement by the Government, no real cloud on the title, no anything.

Mr. GARD. That is just what I am trying to say. While I have no opposition to the intent of the bill, and certainly no opposition to the gentleman from Kansas [Mr. TINCHER] or his excellent constituents in the Garden City Water Users' Association, whom I would desire to relieve as much as I could, yet I do not think this bill is of a character which should be brought up at this time, because there is no policy laid down and there is no pressing need of affirmative action. The only thing we possibly do here is by a congressional enactment to relieve these people from something that does not amount to anything anyhow.

Mr. HARDY of Texas. There is nothing in it.

Mr. GARD. As the gentleman from Texas so well expresses it, there is nothing in it.

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. Yes.

Mr. BLANTON. Surely the gentleman from Ohio would not want to deprive our friend of the opportunity of having something to talk about when he goes home.

Mr. GARD. I put this upon a higher level than any political advantage. I do not think bills should be called up under a motion to suspend the rules where they are for any local interest or because of any partisan or political advantage. I am sure the idea of the Speaker of the House is entirely foreign to that. It seems to me the only bills we should pass under suspension of the rules are those which are so apparently necessary that they need not be amended at all. This bill may have some advantage that other bills of its character may not have, but I think that bills of this kind should be considered under the ordinary procedure of the House, where they may be taken up and discussed and amended if necessary, and that this is not the kind of a bill to take up at this time under the extraordinary rule suspending all rules. If we are going to adhere to this policy of suspending the rules for every bill, we are going to make absolutely correct the statement of the former Speaker of the House [Mr. CLARK of Missouri] that the present Speaker will be embarrassed day by day with the importunities

of men who seek to present bills which are strictly and entirely private bills and for the benefit of one man or a limited number of men. It is upon this statement, which I have tried to make as clear as I could, that I base my opposition to the enactment of this bill in its present form at this time.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question being taken, on a division (demanded by Mr. GARRETT) there were—ayes 58, noes 15.

Accordingly, two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed the following resolution:

*Resolved*, That a committee of two Senators be appointed by the Vice President, to join a similar committee appointed by the House of Representatives, to notify the President of the United States that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some other communication to make to them.

#### ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2789. An act for the consolidation of forest lands in the Sierra National Forest, California, and for other purposes.

#### AMERICAN MERCHANT MARINE.

Mr. GREENE of Massachusetts. Mr. Speaker, I call up the conference report on H. R. 10378, to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The SPEAKER. The gentleman from Massachusetts calls up a conference report on H. R. 10378, which the Clerk will report.

Mr. GREENE of Massachusetts. I ask unanimous consent that the reading of the statement be dispensed with.

Mr. GARD. Is this the conference report on the merchant marine bill?

The SPEAKER. It is.

Mr. GARD. I understood that the gentleman from Tennessee desired to be present when this was considered.

Mr. McKEOWN. Mr. Speaker, reserving the right to object—

The SPEAKER. There is no right to object to the consideration of the conference report.

Mr. McKEOWN. To the request for unanimous consent.

Mr. CLARK of Missouri. I object to the request made by the gentleman from Massachusetts [Mr. GREENE].

The SPEAKER. The whole report was read yesterday, and the Chair understands there are only two changes. Of course, anybody has the right to object.

Mr. EDMONDS. Will the gentleman reserve the right to object—

Mr. CLARK of Missouri. I will compromise on reading the new part.

Mr. EDMONDS. Will the gentleman allow me to explain it?

Mr. CLARK of Missouri. I would rather hear it read—the new part.

The SPEAKER. The gentleman asks unanimous consent that only the new part of the report be read. Is there objection?

Mr. GARD. Reserving the right to object, it is understood that that also includes reading the statement.

Mr. McKEOWN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McKEOWN. After the new part is read, will it then be in order to make points of order against the conference report?

The SPEAKER. Certainly.

Mr. McKEOWN. I have no objection to the request, if I may have an opportunity to make points of order.

The SPEAKER. The gentleman has that right. The Chair understands the gentleman from Ohio desires the reading of the statement.

Mr. GARD. Yes; if we may have the new part of the report read, and the statement read.

The SPEAKER. Is there objection to reading the new part of the report and the statement?

There was no objection.

Mr. McKEOWN. Mr. Speaker, another parliamentary inquiry. Will points of order be in order against the parts not read?

The SPEAKER. Against the whole report.

Mr. WINGO. Why not have it understood that points of order are reserved, and that as soon as the reading is concluded, then points of order can be made?

The SPEAKER. Without objection it is understood that points of order are reserved. The Clerk will read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 15 and 24.

Mr. McKEOWN. Mr. Speaker, I make a point of order—

The SPEAKER pro tempore (Mr. WALSH). The present occupant of the chair was not in the chair when request for the reading of the statement was preferred. Was the entire statement to be read?

Mr. McKEOWN. No.

The SPEAKER pro tempore. The Chair understood that the new part of the report was to be read and that the gentleman from Ohio asked that the statement be read.

Mr. McKEOWN. No; I think the request was that the new part of the report should be read and the new part of the statement, and the point of order was to be made after that.

The SPEAKER pro tempore. The Chair is advised that the gentleman from Massachusetts had preferred a request that the statement be read in lieu of the report; that the gentleman from Missouri [Mr. CLARK] asked that the new part of the report be read, and thereupon the gentleman from Ohio [Mr. GARD] asked that the statement be read and the new part of the report. That is the way the request was left. Of course, the entire statement should be read.

Mr. CLARK of Missouri. The Chair has stated it exactly as it occurred.

The SPEAKER pro tempore. The Clerk will read the statement.

The Clerk read the statement.

Mr. McKEOWN. Mr. Speaker, I make a point of order against the amendments numbered 52 and 128. The new matter as reported is found on page 4 of the report, in which they set out that at the end of the matter proposed by the Senate amendment they change the period to a comma and add the following:

*And provided further, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein.*

Mr. BANKHEAD. What is the gentleman's specific point of order?

Mr. McKEOWN. That the conferees have exceeded their authority by inserting matter not covered by the bill or amendments of the Senate.

Mr. EDMONDS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. EDMONDS. I would like to call the gentleman's attention to the fact that this section was transferred from section 22 of the Senate bill and placed here where it properly belongs. It is word for word taken out of section 22 and placed here. The words are identical with those in the Senate bill.

Mr. McKEOWN. Mr. Speaker, that section reads as follows:

SEC. 22. That the board shall ascertain and determine the need for vessels between the ocean terminal of the Government railroad in Alaska and Pacific and other ports, and if suitable and satisfactory arrangements can not be perfected to meet such need through vessels privately owned and operated the board is directed to furnish suitable service until it can be taken over and supplied by private capital and enterprise: *Provided, however, That whenever the board shall determine, as provided under this section or any other section, that trade conditions warrant the establishment of a service, or additional service, under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein.*

The purpose of that amendment was that where the United States found the condition in reference to the ports between Alaska and the Pacific ports was so that they could establish shipping transportation facilities wherever the circumstances required or wherever it was needed, that they should charge rates sufficient to indemnify the Government against loss.

Then the provision in the conference report requires that they shall take the boats off whenever the returns are not sufficient to pay the transportation charges—not the establishment of a new service that would grow and develop, but to absolutely take out of the service the Government-owned ships unless they are paying the expenses and where the rate is less than other trans-

portation. That means, instead of doing what was the purpose of the Senate provision, to establish service by the Government, but that wherever the transportation rates on other lines were such that the United States Government could not operate, then they must take them off immediately and not give an opportunity for a fair trial.

Mr. EDMONDS. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. EDMONDS. I call the gentleman's attention that this provision was transferred to section 7 because it was more applicable to the terms of section 7 than it was to section 22, and we considered it was proper to place it where it belonged. The wording has not been changed in any form and it was applicable to any section of the act, and it might as well be placed where it belonged as to be where it was.

Mr. McKEOWN. Does the gentleman deny that the effect of this provision is that immediately they must take the vessels off if it is shown that they can not compete with railroad transportation or other transportation?

Mr. EDMONDS. The gentleman is talking about legislation and not on the point of order. The gentleman is making a point of order.

Mr. McKEOWN. Yes; because you have transferred it around and made it apply to all ships.

Mr. EDMONDS. It was applicable to every section in the act, and therefore it was just as applicable to the one section as another.

Mr. McKEOWN. Now, Mr. Speaker, I want to call attention to a point of order I make against amendment 128, which reads as follows:

SEC. 25. That the owner of a vessel documented under the laws of the United States and operated in foreign trade shall, for each of the 10 taxable years while so operated, beginning with the first taxable year ending after the enactment of this act, be allowed as a deduction for the purpose of ascertaining his net income subject to the war-profits and excess-profits taxes imposed by Title III of the revenue act of 1918 an amount equivalent to the net earnings of such vessel during such taxable year, determined in accordance with rules and regulations to be made by the board: *Provided, That such owner shall not be entitled to such deduction unless during such taxable year he invested, or set aside under rules and regulations to be made by the board in a trust fund for investment, in the building in shipyards in the United States of new vessels of a type and kind approved by the board, an amount, to be determined by the Secretary of the Treasury and certified by him to the board, equivalent to the war-profits and excess-profits taxes that would have been payable by such owner on account of the net earnings of such vessels but for the deduction allowed under the provisions of this section: Provided further, That at least two-thirds of the cost of any vessel constructed under this paragraph shall be paid for out of the ordinary funds or capital of the person having such vessel constructed.*

This amendment 128 undertakes to set out new sections, and I will call the attention of the Chair to the fact that the first paragraph, commencing with section 207 down to the words "invested capital," is to be found in the bill, and is covered by the Senate bill, and that the last paragraph on page 11, commencing with paragraph (f) is also covered by the bill and was within the jurisdiction of the conference committee. But all of the language commencing with "invested capital," on down through paragraph (e), is entirely new matter, and is not within the jurisdiction of this committee because it is not covered by either the House or the Senate bill. I call the Speaker's attention to this fact that the language commencing with "invested capital," through paragraph (e), is the language that I complain of in this report in this point of order, and I will say, in conclusion, that I hesitate to make a point of order against an important bill like this at this stage of the proceedings, but it is a bill that involves \$3,000,000,000 worth of property, and I think the point of order is well taken as to amendment No. 128.

Mr. EDMONDS. Mr. Speaker, would the Chair like further enlightenment on the point of order on amendment No. 52?

The SPEAKER pro tempore. The Chair would like to have the gentleman from Pennsylvania discuss the point of order made against the language involved in amendment No. 128.

Mr. EDMONDS. When the conferees arrived at amendment No. 128, we did not like the wording of the sentences or the paragraphs. We immediately had our legislative experts and the Treasury experts get together. We gave them the meaning in the bill. We told them that we would like to have the proper amendment drawn up, that would be in the terms of the Senate bill, that that was satisfactory to us, and this is what they have returned to us as carrying out the provisions of the Senate bill. We have gone over them, and we believe they are absolutely correct, in accordance with the terms of the bill, and that they are now in workable order. In the Senate bill they were not in workable order. There is absolutely no change in the meaning of amendment No. 128 over what was put into the bill originally by the Senate.



The SPEAKER. The Chair would like to inquire how the conferees secured jurisdiction of section 206 of the revenue act of 1918.

Mr. EDMONDS. An amendment inserted by the Senate affecting the revenue act passed by the Senate must naturally have something to do with the revenue act, and we could not make an amendment of that kind unless we did amend or change the revenue act. As to the gentleman's contention about everything after "invested capital," I would call attention to section (b), which is the same as the second paragraph of the bill.

Mr. CHINDBLOM. Mr. Speaker, will the gentleman permit a suggestion?

Mr. EDMONDS. Yes.

Mr. CHINDBLOM. It would appear that the conferees in the manner suggested, instead of Senate amendment No. 128, have placed the matter in the form of an amendment to the revenue act, whereas in the Senate amendment it is not in that form, but is merely a section of the shipping bill, and by reference alone amend the revenue act of 1918. I think a comparison of the language in Senate amendment No. 128 and the proposed matter inserted in lieu thereof by the conferees will show that the substance is identical, that the provision was to the same effect; but they changed the form of it and made it in the form of an amendment to the revenue act by adding certain new sections to section 206 of the revenue act of 1918. The Speaker will observe that section 225 amends Title III of the revenue act of 1918, and proceeds to make changes in the revenue act of 1918, but does not in terms add any new section or change any of the existing sections of the revenue act of 1918.

Mr. DAVIS of Tennessee. Mr. Speaker, I have been unable to hear all that was said on either side, but I wish to undertake to make a concise explanation of amendment No. 128 and the point made against it. I call the attention of the Chair to the fact that the first paragraph of section 25, amendment No. 128, going down through line 16, on page 28, is paraphrased by the first paragraph of subsection (a) on page 10 of the report. Then the last paragraph of section 25 in the Senate bill is paraphrased by subsection (f) of amendment No. 128, appearing on page 11. All of the intervening matter is substituted in lieu of the second paragraph of section 25 in the bill, and that involves many very material changes and provisions that were not embodied in the original Senate amendment, and, of course, not in the House bill. Furthermore, comparing the last paragraph of the section in the bill with subsection (f) of the conference report it occurs to me that there is very material change in this respect: In line 4 the Chair will notice that after the word "board" there is inserted by the conference amendment the words "or a majority thereof," and lines 15 to 18, on page 29 of the bill, are stricken out; so that where it originally provided that the Secretary of the Treasury and the Secretary of Commerce and the chairman of the board were authorized to determine the matters involved, and the language included within lines 15 to 18, providing an appeal to the President where there was not a unanimous decision, the conference amendment changes the paragraph so as to provide that a mere majority of the board may determine those matters, eliminating entirely the appeal to the President.

Mr. EDMONDS. Does the gentleman think that the conference committee has no right to change anything? Is that the gentleman's argument?

Mr. DAVIS of Tennessee. No; but I contend that these are very material changes and involve radical changes from the provisions in either the House or the Senate bill.

Mr. EDMONDS. Are they changes from the subject matter of the paragraph?

Mr. DAVIS of Tennessee. I do not think it is an entire change from the subject matter. I do not understand that such is necessary before a point of order lies.

Mr. EDMONDS. To be subject to a point of order they have to be changes from the meaning of the paragraph.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Tennessee. Yes.

Mr. BLANTON. Answering the gentleman from Pennsylvania, I think the sooner conferees learn that they have not a right to go beyond matters in disagreement the better all will be with respect to legislation.

Mr. EDMONDS. The conferees in this case, with the exception of the one change which was ruled out yesterday, did not go beyond matters in controversy.

Mr. DAVIS of Tennessee. Mr. Speaker, in reply to that, I want to say that that shows what it means to bring up a bill of this importance without opportunity for discussion or consid-

eration by the House; this very provision involves exemption from income taxes of these ship-owning interests.

This provision to which I have referred makes it easier for that to be done, because it deprives the President of the right to pass upon it.

Mr. EDMONDS. The gentleman does not want to misinform the House, I am sure. It does nothing of the kind. It involves exemption from the payment of income tax provided it is put in new ship construction.

Mr. DAVIS of Tennessee. It does provide for such exemption, provided they invest in ship construction that which they would otherwise have paid in taxes.

Mr. EDMONDS. And that was in the Senate amendment which we disagreed upon and which went into conference, and we tried to fix it up in a legitimate and regular manner.

Mr. DAVIS of Tennessee. Oh, I am not impugning the motives of the gentleman, but I have a right to discuss the proposition.

The SPEAKER pro tempore (Mr. WALSH). The gentleman from Oklahoma [Mr. McKEOWN] makes the point of order against the conference report and contends that in amendment 52 the conferees have exceeded their authority by inserting the language at the end of the Senate amendment. The Chair has examined the amendment and the language reported by the conferees, and notes, as was pointed out by the gentleman from Pennsylvania [Mr. EDMONDS], that substantially the same language was carried in section 22 of the Senate bill, or rather section 22 of the bill amended by the Senate. The conferees have transferred that language in practically the same form to section 7 of the bill, and this provision would seem to be germane. But at any rate that section was in controversy, and the transfer by the conferees was not in excess of their authority.

The gentleman from Oklahoma also bases his point of order on the contention that the conferees have exceeded their authority in reporting language, which is amendment No. 128. This contention raises a question of considerably more difficulty. Section 25 of the bill as amended by the Senate, that amendment being No. 128, provides for certain exemptions to owners of documented vessels operating in foreign trade from the tax imposed by Title III of the revenue act, and also provides that citizens may sell during a certain period vessels documented under the United States law and that they should be exempt from certain titles of the revenue act of 1913. It also provides a board which is to determine the amount to be allowed for annual depreciation of vessels and for allowances and deductions to be allowed, and in case of disagreement the contention to be referred to the President. The conferees have recast that amendment in its entirety and instead of providing certain exemptions they have reported an amendment to the revenue act which in general language retains the features of Senate amendment 128, but they incorporate that in a new section to the revenue act of 1918, to be known as section 207 with subparagraphs. But the conferees have not only retained substantially the language of the Senate amendment, but they added other amendments of an administrative character to the revenue act and enlarged somewhat and further prescribed the duties of the Commissioner of Internal Revenue. They have also inserted a paragraph known as paragraph D, requiring the furnishing of a bond or surety, and in lieu of a bond permitting the deposit of the amount of the taxes or obligations to be held in trust with the approval of the Secretary. This paragraph, as well as the one preceding and the one following, would seem to deal in administrative provisions and put restrictions on, and also enlarge the scope of the authority of, the Internal Revenue Commissioner. The Chair finds nothing in the Senate amendment after a very careful reading of the language, neither does he find anything in the amendment as reported by the conferees, that part of the language which has been retained, which brings these matters in controversy. They seem to be entirely new matter, which the conferees have reported in attempting to adjust their disagreement upon the Senate amendments, and it would seem to the Chair that they have not followed the rules prescribed in adjusting differences between the two Houses in conference. The Chair appreciates that it is a very important matter to rule that a conference report at this time should be returned to the conferees and yet—

Mr. MONDELL. Will the Chair allow me?

The SPEAKER pro tempore. The Chair will hear the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, where a provision contains legislation that required machinery of administration and the conferees present the matter in a different form but of practically the same substance, are the conferees going beyond their proper jurisdiction when they insert a purely administra-

tive provision not in conflict with the purpose or intent of the legislation and necessary to its carrying out, or if not absolutely necessary then useful and helpful? These administrative provisions may, I do not know that such is the case here, be provisions that might be cared for by rule of the department or construction of the department. The conferees have seen fit to go into some detail in the matter of administration, remaining, however, all the time within their authority, so far as the substantive provisions of the bill are concerned. They lay no obligations that they were not authorized under that jurisdiction and authority to lay. They have taken away nothing that they did not have the authority to do, but they have endeavored to perfect and make workable the provisions which they have authority to provide for, to arrange for, in a somewhat modified way. It occurs to me that it could scarcely be held that they go beyond their jurisdiction because some purely administrative provisions or directions were inserted.

The SPEAKER pro tempore. Will the gentleman permit an inquiry?

Mr. MONDELL. The gentleman is delighted to have the Chair make an inquiry of him.

The SPEAKER pro tempore. The Chair would like to ask the gentleman if it is his view where a Senate amendment prescribes that certain exemptions shall be permitted under a title of the revenue law, to be determined in accordance with rules and regulations to be made by the board, namely the Shipping Board, that that would confer jurisdiction upon the conferees to prescribe departmental provisions to be followed by the Commissioner of Internal Revenue, and to amend the revenue act of 1918 in its essential particulars?

Mr. MONDELL. Well, if the Chair will allow me, I did not ask the Chair to hear me on that matter because it had occurred to me as quite clear that in that particular the conferees were clearly within their rights for the reason no one questions but what the provisions contained in the section as presented by the conferees are within their authority. The question is, Are they authorized to amend another act?

That is the question I understood the Chair to raise, whether or not, presenting the same subject matter, it was within their authority to present it, not in the form of a reference to another act, but as a reenactment of another act. It seems to me that clearly they have authority to do that, and it is proper and logical they should have that authority. It is much better as a matter of practice to amend a statute by reenacting it and modifying it than to amend it by mere reference, by limitations under certain conditions, by modifications as contained in another piece of legislation. One of the vices of our legislation is the constant amendment of statutes by mere reference, implication, suggestion, modification. As the Chair knows, in some jurisdictions that can not be done.

If a statute is amended it must be reenacted in order that he who reads may know what the statute is—a very much better form of legislation. Now, in this particular case the conferees have adopted the better form. Instead of modifying this section of the revenue act by reference to it, instead of making some exceptions in this particular case, they have seen fit to reenact that section of the statute. And so long as they do not exceed their authority in the subject matter, the fact that they present it in a different form and as an amendment of another statute, a direct amendment, a reenactment of another statute, rather than an amendment by reference, it does not seem to me to be repugnant to any proper rule of legislative procedure, but rather in harmony with the better legislative procedure.

Mr. McKEOWN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. McKEOWN. Does not this legislation enact an entirely new section to the revenue bill and prescribe administrative features under that?

Mr. MONDELL. My contention is, whether it reenacts a section of the revenue bill or adds a new section to the revenue bill, so long as it adheres to the subject matter the conferees are still within their authority. If the gentleman suggests he can not agree with that line of reasoning, why should not the conferees legislate in the best form—confessedly in the best form—rather than in the form that no one approves of?

Mr. HARDY of Texas. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. HARDY of Texas. Does not the gentleman think it is not within the province of the conferees, when they are seeking to make an amendment of the Senate effective, to provide some means by which it may be made effective? If an amendment, as worded in the bill that comes back to the House, is such as it would contravene some statute or would be lacking in

instrumentalities to carry it out, would not the authority of the conferees go to the extent of providing the instrumentalities to carry out the purpose of the amendment?

Mr. MONDELL. The gentleman has stated better than I did my contention with regard to the administrative provision. It seems to me beyond all question that a matter being within the jurisdiction of the conferees they are not exceeding their jurisdiction when they add practically a reasonable and possibly essential administrative provision. My understanding of the authority of conferees is this, that they may not put in a measure new matter, new subjects, and in dealing with the subject in hand they can not go beyond the scope of the provisions that have been adopted by one House or the other, but should it develop in adjusting the differences between the two Houses that it became necessary to add some purely administrative provisions, they are certainly not going beyond their authority in doing it. They are doing the thing necessary to the perfection of the legislation within their authority.

Mr. HARDY of Texas. If the Speaker will hear me just in line with what has been said by the gentleman from Wyoming, it seems to me that where the conferees thought an amendment, the purpose of which they accorded with, was so loosely drawn that it might give occasion for abuse in administration or losses to the Government, they would have the right in agreeing to so amend the amendment as to provide against the evils naturally inherent in the defective amendment. Now, the Senate provision as it was written was, as we thought, lacking in safeguards. It provided amply for the remission of certain taxes in order to permit the investment or reinvestment of certain moneys in new shipping built. The House undertook, while agreeing with the purpose and the object of the Senate amendment, to provide the safeguards that would protect the Government, and one of those is to require a ship operator whose tax exemption is to be given him, to give a bond that he will apply the taxes that he was not forced to pay in the manner which was to be the cause of his exemption. In other words, every amendment of the Senate amendment made by the conferees is by way of safeguarding against the effects of the loosely drawn amendment of the Senate, and to make it more perfectly express the purpose of the Senate amendment and provide the means by which it was to be effectuated. In other words, I do not think the conferees were limited to either striking out the Senate amendment, putting nothing in its place, or else agreeing to it. But very practically all the conferees' work was done with the purpose of assuring the ultimate object of the Senate amendment, as, for instance, with paragraph (d), we provided that the taxpayer to be exempted from certain taxes is required to furnish a bond that he will do certain things. That is like putting a condition to the provision of the Senate. I think a mature study of the language adopted by the conferees will show that while it adopts new language, a new machinery, all of it is intended to safeguard the loosely drawn amendment of the Senate. And unless conferees may do that, they must be limited either to striking out what the Senate said and putting nothing in its place, or else agreeing to and accepting the Senate amendments.

Mr. BEGG. Will the gentleman yield to a question?

Mr. HARDY of Texas. Yes.

Mr. BEGG. The position taken by the gentleman is the same as that taken by the gentleman from Wyoming [Mr. MONDELL]. Now, do I understand that you claim the conferees have a right to rewrite the substance matter under consideration by the Senate, and the House state it in their own words, just so long as they stay within the confines of the subject matter?

Mr. HARDY of Texas. And the purpose expressed.

Mr. BEGG. In other words, we would say that one body of government has the one extreme and another the opposite extreme. Does the gentleman mean to hold that the conferees can redraw and reexpress that without giving the House the opportunity to pass upon it?

Mr. HARDY of Texas. I illustrate it by (c) here. The Senate had excepted certain operating income from certain taxes. We make it a condition that before that can be done the income earner must give a bond for the application of that income as required by the law. That calls for some machinery, but it is all for the forwarding of the purpose of the Senate amendment and without bringing in anything new to be accomplished, but really effectively providing the means of the accomplishment of the purpose in view. It seems to me that comes within the proper jurisdiction of the conferees; otherwise they are practically figureheads.

Mr. GARRETT. Mr. Speaker, it occurs to me—and I call the attention of the friends of this legislation to the matter and



suggest that it receive their serious consideration—that we are probably treading on pretty dangerous ground, independent of the point of order as regards the rules of the House.

The Constitution of the United States provides that all bills for raising revenue shall originate in the House of Representatives, but that the Senate may propose or concur with amendments, as in other bills. The bill which this House passed was not a revenue bill in the sense in which the term is used in the Constitution, and it had no reference whatsoever to it. It went to the Senate, and the Senate put upon it an amendment which does have to do with revenue. It originated in the Senate.

Now, unless I am mistaken in my recollection it has not been many years since the Senate amended some House bill by putting upon it a revenue feature involving the subject of child labor, and that was not upon a revenue bill; and the matter got before the Supreme Court of the United States, and the Supreme Court held that act unconstitutional because it did not originate in the House of Representatives, where the Constitution provides that revenue bills shall originate.

That is worthy of pretty serious attention. Now, so far as the suggestions of the gentleman from Wyoming [Mr. MONDELL] go—

Mr. CAMPBELL of Kansas. Just in that connection will the gentleman from Tennessee permit me to say that the House has uniformly rejected any attempt on the part of the Senate to put revenue matters upon bills that went to them from the House?

Mr. GARRETT. Yes. I remember, Mr. Speaker, more than once, I am sure, in my experience here, that the House has by a respectful resolution advised the Senate that it would have to decline to receive or consider any bill which interfered with its constitutional right to originate revenue measures.

Now, the gentleman from Wyoming insisted upon a very liberal construction of the rules in regard to conference reports, a construction that I do not believe the Chair would be justified in giving. I think the conference rules are pretty plain. They are not involved in any very grave doubt. There is not much room for dispute about the meaning of the rules as regards conference reports. The theory and the philosophy of the rule in regard to conference reports is that the legislative body, the House of Representatives, shall not be compelled to vote up or down as a whole a proposition containing matter upon which the House has no opportunity of passing except as it passes upon it as an integral portion of a conference report. The House of Representatives, Mr. Speaker, has as much right to pass upon the administrative features of a revenue law and determine the language in which those administrative features shall be couched as it has upon any other part of a revenue law, so that the theory, the philosophy, that underlies the rule in regard to conference reports, that the conferees shall not exceed their jurisdiction and bring in matters not in dispute between the two Houses, applies with as much force to an administrative proposition as it does to any other portion of a bill.

It may be unfortunate that the legislation did not reach that stage in either body where the administrative feature was passed upon by either. That may be an unfortunate situation. But that is a question affecting the merits. That is begging the question upon the matter of merit. That is not asking the Chair to predicate a decision on the rules of the House. That is asking the Chair to take into consideration the question of expediency, which I respectfully submit the Chair can not do.

Mr. BANKHEAD. Mr. Speaker, I desire to submit very briefly, if the Chair please, one or two authorities on this proposition. As I understand, the specific point of order made by the gentleman from Oklahoma [Mr. McKOWN] is based upon the ground that the conference report includes new matter that was not a legitimate and germane subject of difference between the House and the Senate in conference. Now, in volume 5 of Hinds' Precedents, on page 719, you will find this decision:

On April 19, 1871, Mr. Henry L. Dawes, of Massachusetts, from the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House No. 19 (deficiency appropriation), submitted a report thereon in writing.

Mr. William S. Holman, of Indiana, made the point of order that the report contained matter not a subject of difference between the two Houses. Mr. Holman specified that there were incorporated in the report two propositions which were new—a provision making appropriations for the Suro Tunnel and another for the Agricultural Department. These matters, he submitted, were not referred to the committee of conference at all. He understood that the committee of conference was not authorized to consider matters which had been neither incorporated in Senate amendments nor brought before the House.

The Speaker, Mr. James G. Blaine, said:

The rule is as broad as the gentleman from Indiana states it, with this reservation: New propositions may be introduced, but there must be something in the bill to make them germane as amendments. The power of a conference committee, which, as gentlemen well know, the two Houses have been in the habit of considerably enlarging, fairly includes the power to incorporate germane amendments. If the gentleman

from Indiana makes the point that the amendments he specifies are not germane, the Chair will examine the question; but the mere fact that the propositions embrace matters which were not originally before the House or Senate would not be sufficient to require them to be ruled out.

Now, it seems to me, Mr. Speaker, there is a decision by a very eminent authority that is directly in point upon the proposition involved here. The Senate amendment did contain a provision allowing certain exemptions from these shipowners upon their income-tax returns, and allowing them to make it up by reinvesting it in new construction in the merchant marine, which was a general subject affecting the income-tax law and amendments of the income-tax law. Now, the amendment agreed upon by the conferees was certainly germane, although it did include new matter, as the Chair referred to a moment ago, by way of regulation, and so forth.

I quote again from Hinds' Precedents, volume 5, page 721:

On March 3, 1871, the House was considering the report of a committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 2816) making appropriations for the support of the Army, when Mr. Fernando Wood, of New York, raised a question of order as to a provision relating to certain claims. One of the Senate amendments to which the House had disagreed was a provision to refer the matter of the claims in question to the Quartermaster General and the Commissary General. The conferees reported a provision to constitute a commission to deal with the subject.

But the Speaker—in this case it was Mr. Blaine—ruled:

The Senate inserted a provision in this appropriation bill on this subject, and the provision reported by the conference committee is a germane modification of that provision, and therefore it comes strictly within the purview of the power of the committee of conference. If it were entirely new matter, the Chair would have no hesitation in ruling it out.

And then I call the attention of the Chair to this further decision, and that is all I will cite.

On May 26, 1870, the House was considering the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to a bill to enforce the rights of citizens of the United States to vote in the several States of this Union who have hitherto been denied that right on account of race, color, or previous condition of servitude.

Mr. Samuel S. Cox, of New York, made the point of order that the report contained new matter, two new sections having been added.

The Speaker, Mr. Blaine, said:

It is not necessary that the matter reported by the committee of conference should have been considered in either branch if it be germane and in the nature of an amendment which may reconcile the differences between the two branches. It is just as much in order for a conference committee to report such matters as for a Member to move it on the floor of either House. It is only when they introduce absolutely new matter—which would not be germane to the matter under consideration and could not be entertained in either branch in the form of an amendment—that the point of order raised by the gentleman from New York could be entertained. The Chair overrules the point of order.

Mr. McKINIRY. Mr. Speaker, I make the point of no quorum present.

Mr. MONDELL. Will the Chair allow me to make one statement?

The CHAIRMAN. The Chair was ready to rule, but the gentleman from New York [Mr. McKINIRY] has made the point of no quorum present.

Mr. McKINIRY. I withdraw it for the present.

Mr. MONDELL. Mr. Speaker, I want to say a word with reference to the suggestion of the gentleman from Tennessee [Mr. GARRETT] that I was contending for a liberal construction of the rule governing the action of conferees. Quite the contrary. I have never done that. I never shall. I am one of those who believe that conferees should be held strictly within their power and authority. I do not think it is a liberal construction of the authority of the conferees to say that they may put their proposition in the best possible form; and it is not a liberal construction of the authority of the conferees to say that the matter may be so presented that it will be a complete and perfect and workable piece of legislation.

The SPEAKER pro tempore (Mr. WALSH). The Chair is ready to rule. The Chair has listened with great interest to all that has been said since he stated his understanding of the matter a few moments ago.

The Chair is clearly of the opinion that the conferees have exceeded their authority; that if they had retained the Senate amendment in the language in which the Senate reported it, and had not attempted to amend the revenue act, but had simply added the language which has been added in attempting to amend the revenue act, they still would have exceeded their authority. They are retaining the language of a Senate amendment, and in addition are imposing certain administrative requirements upon the Commissioner of Internal Revenue which were not necessarily involved in the Senate amendment. The administrative requirement in the Senate amendment,

upon the reading of that amendment, could have been left to the Shipping Board; but in the language which has been reported by the conferees they have proposed certain restrictions and have made certain regulations which will have the effect of law; and in writing them in as an amendment to a revenue law like a new section it seems to the Chair clearly that it is not within their jurisdiction, because there is nothing in the Senate amendment that, in the opinion of the Chair, places those matters in conference; and much as the Chair regrets it, he feels constrained to sustain the point of order.

Mr. MONDELL. Mr. Speaker, in order that we may more clearly understand the ruling of the Chair, does the Chair hold that the conferees exceeded their authority when they changed the language and form of the Senate amendment by putting it in the form of an amendment to the revenue act?

The SPEAKER pro tempore. The Chair has made no such ruling as that.

Mr. MONDELL. I am asking this in good faith.

The SPEAKER pro tempore. Certainly.

Mr. MONDELL. Because I think the conferees ought to know. They might take from this section the administrative provisions that the Chair has objected to, and then find themselves confronted with another point of order that the mere fact that they had inserted this in the form of a section of the revenue act subjected them to the point of order. The Chair has not held that?

The SPEAKER pro tempore. The Chair did not so rule. The Chair holds that in writing a new section of the revenue act and in including in that section certain language of the Senate amendment, and then other provisions which were not brought into controversy by reason of the language of the Senate amendment, therefore they exceeded their authority.

Mr. MONDELL. One thing more. The gentleman from Tennessee raised the question of the constitutional provision—

The SPEAKER pro tempore. The Chair is of the opinion that it is too late to raise that question now, the bill having gone to conference; that question might have been raised when the bill came over from the Senate with the Senate amendments, but can not be raised upon a conference report, which presents the compromise of managers of the two Houses.

Mr. GREENE of Massachusetts. Mr. Speaker, I move that the House further insist upon its disagreement to the Senate amendments, and ask for a further conference.

The SPEAKER pro tempore. The gentleman moves that the House further insist on its disagreement to the Senate amendments and ask for a further conference.

The motion was agreed to.

The SPEAKER pro tempore. If there be no objection, the Chair will appoint the conferees.

There was no objection, and the Speaker pro tempore appointed Mr. GREENE of Massachusetts, Mr. EDMONDS, Mr. ROWE, Mr. HARDY of Texas, and Mr. BANKHEAD.

#### IMPORTATION OF AEROPLANES.

Mr. TILSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14368) to provide revenue, encourage domestic industries, and make provision for the national defense by the elimination, through the assessment of special duties, of unfair foreign competition in the sale of aeroplanes imported into the United States, and for other purposes.

Mr. THOMAS. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Kentucky makes the point that no quorum is present.

Mr. THOMAS. Mr. Speaker, I will withdraw the point of no quorum.

The SPEAKER pro tempore. The Clerk will report the bill for which the gentleman from Connecticut asks consideration.

The Clerk read as follows:

Be it enacted, etc., That until March 4, 1921, the "special duty" provided for in this act shall be levied upon each aeroplane imported into the United States of a class or kind identical or comparable with a class or kind made or produced in the United States, or of a kind sold in competition with like articles made or produced in the United States. Such special duty shall be ascertained, determined, and promulgated by the Secretary of the Treasury.

SEC. 2. That the term "aeroplane" shall include aeroplane motors, and accessories and parts for aeroplanes and aeroplane motors.

SEC. 3. That the term "United States" shall mean the United States and any Territory or place subject to the jurisdiction thereof, except the Philippine Islands, the Islands of Guam and Tutula, the Virgin Islands, and the Panama Canal Zone.

SEC. 4. That the term "person" wherever used in this act means and includes any individual, partnership, corporation, association, or other body.

SEC. 5. That the term "foreign home value" wherever used in this act means the value plus the cost, when not included in such value, of the package and the packing charges at which any aeroplane comparable therewith in value is freely offered for sale in the principal market or markets of the country of exportation for consumption or use in said country in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class pro-

vided for in this act is freely offered for sale in the United States, and shall not include any excise tax levied against such aeroplane.

SEC. 6. That the words "the value to countries other than the United States" wherever used in this act mean the value plus the cost, when not included in such value, of the package and the packing charges at which any aeroplane comparable therewith in value is freely offered for sale for exportation to countries other than the United States in the principal market or markets of the country of exportation in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this act is sold in the United States: *Provided*, That any import duties rebated or not paid by reason of the exportation of such aeroplane from the country of production or sale to the country other than the United States shall be added to export price.

SEC. 7. That the term "cost of production" wherever used in this act means the cost of labor and material of the aeroplane exported to the United States at the time of production plus the actual general expenses and a profit which is usually and ordinarily added to the cost of labor, material, packing charges, and general expenses by manufacturers in the country of production of aeroplanes similar in material and production or manufacture.

SEC. 8. That the term "sales price" wherever used in this act means—

(a) The price plus the cost, when not included in such price, of the package and the packing charges at which the person in the foreign country or his agent sells the aeroplane to the person in the United States or his agent: *Provided*, That the person in the United States has no financial or other interest in the business of the person in the country of exportation shipping or selling the aeroplane to the person in the United States.

(b) If it can be shown to the satisfaction of the appraiser, or the person acting as such, that the person in the United States, buying directly or through his agent in the United States or through a foreign agent, has any financial or other interest in the business of the person in the country of exportation shipping or selling the aeroplane to the person in the United States, the appraiser or the person acting as such will secure from the person in the United States his sale price in the United States of the imported aeroplane plus the cost, when not included in such price, of the package and the packing charges, and compare this price after due allowance has been made for all expenses included in said price incurred from the place of manufacture or purchase in the foreign country to the place of delivery in the United States with the sales price that the person importing the aeroplane pays or has agreed to pay to the foreign shipper, manufacturer, or owner, and report to the collector as the sales price the lower of the two.

(c) If the aeroplane imported into the United States has been secured from the foreign owner, manufacturer, or shipper otherwise than by purchase, the sales price, plus the cost, when not included in such price, of the package and the packing charges, will be the price at which the person importing the aeroplane sells or agrees to sell the aeroplane in the United States, plus the cost, when not included in such price, of the package and the packing charges, either prior or subsequent to the date of importation, less all expenses, included in said price incurred from the place of shipment or manufacture in the foreign country to the place of delivery in the United States.

SEC. 9. That the foreign home value or the value to countries other than the United States, as the case may be, shall be taken at the date of sale or purchase of the aeroplane exported to the United States, or if such aeroplane is secured otherwise than by purchase, at the date of exportation of the aeroplane to the United States.

SEC. 10. That whenever an aeroplane is exported to the United States of the class or kind provided for in this act, and the sales price is less than the foreign home value, or in the absence of such value is less than the value to countries other than the United States, or in the absence of such value is less than the cost of production, there shall be levied and collected, in addition to the duties on imported aeroplanes prescribed by law, a special duty in an amount equal to the difference between the sales price and the foreign home value or the value to countries other than the United States or the cost of production, as the case may be.

SEC. 11. That the appraiser, or the person acting as such, shall report and return to the collector his decision as to the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price.

SEC. 12. That if the appraiser, or the person acting as such, can not ascertain the sales price in the United States provided for in either (b) or (c) of section 7 of this act within 10 days after the entry of the aeroplane he shall withhold his return to the collector under such regulations as the Secretary of the Treasury may prescribe.

SEC. 13. That if the collector shall deem the foreign home value, or the value to countries other than the United States, or the cost of production reported by the appraiser or the person acting as such of any imported aeroplane provided for by this act to be too low, or shall deem the sales price of such aeroplane to be too high, he may within six months after the date of such report and return appeal to reappraisal, which shall be made by one of the general appraisers, or if the importer, owner, agent, or consignee of such aeroplane shall deem the foreign home value, or the value to countries other than the United States, or the cost of production reported by the appraiser or the person acting as such to be too high, or shall deem the sales price reported by the appraiser or the person acting as such to be too low, and shall have complied with the requirements of existing law with respect to the entry of such aeroplane he may within 10 days thereafter appeal to reappraisal by giving notice thereof to the collector in writing.

SEC. 14. That the general appraiser, in cases of reappraisal provided for in section 12 of this act, shall report to the collector of customs the foreign home value or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price; and such value or cost of production and sales price shall be final and conclusive against all parties interested therein unless the owner, consignee, or agent of the aeroplane shall deem such value or cost of production reported by the general appraiser to be too high or the sales price too low, and shall within 5 days thereafter give notice to the collector in writing of an appeal, or unless the collector shall deem the report of such value or cost of production to be too low or the sales price too high, and shall within 10 days thereafter appeal to reappraisal by the Board of General Appraisers.

SEC. 15. That in all cases of reappraisal or re-appraisal provided for in sections 12 and 13 of this act the collector shall transmit the invoice and all the papers appertaining thereto to the board of nine general appraisers, to be by rule thereof duly assigned for determination. In such cases the general appraiser and the boards of general appraisers shall proceed by all reasonable ways and means in their



power to determine the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price, and in so doing may exercise both judicial and inquisitorial functions. In such cases the general appraisers and the boards of general appraisers shall give reasonable notice to the importer and the proper representative of the Government of the time and place of each and every hearing, at which the parties or their attorney shall have opportunity to introduce evidence and to hear and cross-examine the witnesses for the other party and to inspect all samples and all documentary evidence or other papers offered. Affidavits of persons whose attendance can not be procured may be admitted in the discretion of the general appraiser or Board of General Appraisers.

Sec. 16. That no reappraisal or re-appraisal provided for in this act shall be considered invalid because of the absence of the aeroplane or samples thereof before the officer or officers making the same, where no party in interest had demanded the inspection of such aeroplane or samples, and where the aeroplane or samples were reasonably accessible for inspection.

Sec. 17. That the decision of the appraiser, or the person acting as such (in case where no objection is made thereto, either by the collector or by the importer, owner, consignee, or agent), or the single general appraiser in case of no appeal, or of the board of three general appraisers, in all reappraisal cases provided for in this act shall be final and conclusive against all parties, and shall not be subject to review in any manner, for any cause, in any tribunal or court, and the collector, or the person acting as such, shall ascertain, fix, and liquidate the amount of the special duty provided for in this act, in addition to the duties prescribed by existing law on such aeroplane.

Sec. 18. That if any person importing an aeroplane into the United States shall fail, at the request of the Secretary of the Treasury, or an appraiser, or person acting as such, or a collector of customs, as the case may be, to secure permission for a duly accredited officer of the United States to inspect any or all books, records, accounts, documents, or other papers pertaining to the value or classification of such aeroplane, of the person selling, shipping, or consigning the aeroplane to the United States, then the Secretary of the Treasury shall, while such failure or refusal continues, prohibit future importations into the United States of aeroplanes from such seller, shipper, or consignee by any importer.

Sec. 19. That if any person engaged in the importation of aeroplanes into the United States or engaged in dealing in such imported aeroplanes shall fail or refuse to submit for inspection of a duly accredited investigating officer of the United States upon request so to do from the collector or the appraiser, or the person acting as such, or any other officer of the United States customs duly authorized by law, any or all of his books or records, accounts, documents, or other papers pertaining to the value or classification of any such imported aeroplane, then the Secretary of the Treasury, while such failure or refusal continues, shall prohibit the future importations of any aeroplane into the United States by or for the persons so refusing.

Sec. 20. That the consular invoice covering an aeroplane subject of this act that is actually purchased shall contain, in addition to the facts and details now required by existing law, the foreign home value, or, in the absence of such value, the value to countries other than the United States, or, in the absence of such value, the cost of production, as the case may be, when such value or cost does not equal the sale price.

Sec. 21. That if any person engaged in the importation of aeroplanes into the United States shall give or receive a rebate or concession from the sale price, whereby the United States shall be deprived of the lawful duties or any portion thereof accruing upon the aeroplanes without notifying the collector of such rebate or concession from the sales price, either at time of entry or afterwards, or shall fail or refuse to submit to the inspection by a duly accredited officer of the United States, when requested so to do, any or all of his books, records, or accounts pertaining to said aeroplanes, he shall upon conviction be fined for each offense a sum not exceeding \$5,000 or be imprisoned for a time not exceeding two years, or both, in the discretion of the court, and the collector of customs, or the person acting as such, at the port where such aeroplanes shall have been entered shall have the power, and is hereby authorized, to reliquidate such entry and assess duty, as provided by this act or by existing law, upon such aeroplanes and any provision of existing law inconsistent with this provision is hereby repealed.

Sec. 22. That the special duty herein provided for shall be treated in all respects as regular customs duties within the meaning of sections 2977 and 3015 of the Revised Statutes and paragraph (c) of section 4 of the tariff act of October 3, 1913, and all other statutes providing for drawback customs duties upon exportation of imported merchandise or articles manufactured or produced in the United States with the use of imported merchandise.

Sec. 23. That this act shall be cited as the "aeroplane antidumping act."

Sec. 24. That the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary for the enforcement of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, I understand from the reading of the bill it is what is called an antidumping bill.

Mr. TILSON. I will state that it is in substantially the same language as the bill that we passed unanimously in December, except that at that time the bill applied to all merchandise. That bill was held up at the other end of the Capitol. The matter of airplanes is deemed an emergency. It was believed that if it were made to apply to airplanes alone, being an emergency and involving the question of national defense, there would be no difficulty in getting it through. It is a unanimous report from the Committee on Ways and Means. We used the same bill, so that there might be no question about the House having once thoroughly considered all the details of the bill as applied to merchandise in general.

Mr. GARD. Does the bill have the approval of the War Department?

Mr. TILSON. It is at the request of the War Department—that is, the Air Service of the War Department. It is an emergency, for if the surplus and obsolete airplanes of Europe are allowed to be dumped here it means the destruction of the airplane industry in this country.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. TILSON. Certainly.

Mr. TAYLOR of Colorado. Why does not the gentleman incorporate the report of the War Department in the report on the bill, so that we can see what it is?

Mr. TILSON. We have had no formal report from the War Department, but we had the representatives of the War Department before us. If the gentleman will read the hearings, he will see that Gen. Menoher, representing the War Department; Gen. Mitchell, who is as well qualified to speak on this subject as any man in the United States; and Col. Gilmore, who is at the head of the supply division, all appeared and testified before the committee.

Mr. TAYLOR of Colorado. Does not the gentleman's committee follow the practice of giving the report of the Secretary of the various departments in the reports on bills, especially as important a bill as this?

Mr. TILSON. This matter was too urgent to permit of that course. It had been expected that the antidumping bill, which includes aeroplanes, would be finally passed, and we have had only a brief time since we came to the conclusion that the other bill would probably not pass. As a matter of fact, the War Department came to us instead of our going to the War Department.

Mr. TAYLOR of Colorado. Does it take a measure or bill as long as this applying it simply to aeroplanes?

Mr. TILSON. That is a very pertinent question. The bill having been considered in all of its details last December, having been carefully considered by the committee and by this House, section by section, and passed without even a division, we thought it best to take that bill with all of its verbiage instead of attempting to prepare and pass a new bill when there is not time to consider it in detail.

Mr. KING. Will the gentleman yield?

Mr. TILSON. I will.

Mr. KING. I want to direct the attention of the House and the Committee on Ways and Means to a condition that is bound to arise. Not very long ago we passed an enabling act allowing our moneyed men to build factories in all parts of the world, England, Ireland, Armenia, and finance them with American money. Many moneyed men seeking to get a return on their investment put their money in foreign factories, where they expect to employ cheap labor and use the United States as a market. I would like to know if the gentleman knows whether any financial citizens are interested in the importation of aeroplanes manufactured abroad; and if they are, if they will be injured in any way by this legislation.

Mr. TILSON. I do not know as to that. I do know that we now have left a small aircraft industry in this country upon which the Government must rely in case of need of aeroplanes for the Army and Navy hereafter. I know that it is said by those in a position to know best that if we do not prevent the dumping of these aeroplanes from Europe it will swamp this small industry of ours and that we shall probably have to pay for it hereafter in the increased price we shall have to pay for the production of aeroplanes.

Mr. KING. I wanted to know, if the gentleman knows, whether it will injure in the slightest degree any of our moneyed men who have money in these particular factories, because that is something that must absolutely not happen.

Mr. TILSON. I am sorry that I am not in the confidence of the great moneyed men referred to by the gentleman from Illinois, and therefore am unable to answer the gentleman's question.

Mr. SANFORD. Will the gentleman yield?

Mr. TILSON. I will.

Mr. SANFORD. Have we anything in this country that could be called an aeroplane industry?

Mr. TILSON. Yes; it is quite small, but it grew considerably during the war.

Mr. SANFORD. Is it not about gone now?

Mr. TILSON. Not entirely; there is some of it left. It is desirable that we retain the rest of it if possible and encourage it to grow.

Mr. MACGREGOR. Will the gentleman yield?

Mr. TILSON. I will.

Mr. MACGREGOR. I understand that the main purpose of this bill is to protect the workmen, mainly at Buffalo. They employ there 2,500 men, and if this does not pass they will be out of employment.

Mr. TILSON. That is one element that enters into it, but I must be candid with the House and say that the thing that influenced the committee as a whole, both sides, so far as party politics is concerned, was the fact that it is an emergency and that it involves a matter of national defense. This is what appealed to the committee most strongly, and it is upon this ground that I now urge it upon the House.

Mr. LEA of California. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. LEA of California. Was any evidence taken before the committee to show how many aeroplanes might be imported from England?

Mr. TILSON. Yes; the testimony on that question seemed to be somewhat elastic. One man testified that a thousand planes would be brought in, another 2,000, and I think it was stretched up to 5,000 before we got through. The fact was developed that aeroplanes and parts that cost \$100,000,000 were sold to the Aircraft Disposal Co., a British corporation, for \$1,000,000, or at the rate of one cent on the dollar, and that the British Government is to have 50 per cent of all of the profits made by this disposal company above the 1 per cent for which the planes were sold to the disposal company. It was also brought out that it is proposed to buy a number of these planes from the disposal company and bring them to this country.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. LONGWORTH. Is it not the fact that all of these machines which are contemplated to be imported, some 4,000 of them, I believe, are obsolete and will be of no service to the Government for purposes of defense?

Mr. TILSON. Yes. There was brought to the attention of the committee an order issued by the British Government to the effect that all of these planes are obsolete planes. It is also in testimony that the capacity for producing the spare parts has been turned into some other industry, so that when a plane is used up there will be no way of securing a spare part to replace the worn-out part.

Mr. LONGWORTH. The original cost of these machines was some \$16,000, and they propose to sell them for \$2,500.

Mr. TILSON. The gentleman states correctly part of the evidence before the committee.

Mr. LONGWORTH. Showing that they are not good planes.

Mr. BLAND of Indiana. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. BLAND of Indiana. Does the gentleman know of any reason why the planes sold by the Liquidation Commission to the French Government could not be sent in here, when they were sold for practically nothing?

Mr. TILSON. I know no reason why they could not be.

Mr. BLAND of Indiana. Some of the products of the sale have been brought in.

Mr. MCKENZIE. Mr. Speaker, will the gentleman yield?

Mr. TILSON. Yes.

Mr. MCKENZIE. This legislation is not being enacted to affect the importation of machines used for military purposes, but for the commercial trade.

Mr. TILSON. That is all.

Mr. HICKS. Is it not a fact that unless such a provision as the gentleman is proposing is enacted into law we shall be aiding the British Government in disposing of its surplus useless war materials to the detriment of the American manufacturers?

Mr. TILSON. We are convinced that such would be the case, and that is the reason the committee reported the bill.

Mr. Speaker, I ask for a vote.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. ROGERS. Mr. Speaker, this bill being on the Union Calendar, does it not require unanimous consent for its consideration in the House?

Mr. TILSON. Unanimous consent was given at the beginning.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TILSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ARMENIAN MANDATE.

Mr. FLOOD. Mr. Speaker, I hold in my hand the minority views on the Armenian mandate question. The report of the majority was filed yesterday. I ask unanimous consent to file the minority report.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. I would state also that I have not been able to get all of the minority members to sign this, as I have not been able to get hold of them.

#### BRIDGE ACROSS MONONGAHELA RIVER.

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13962) to amend an act approved February 27, 1917, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania," which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That section 1 of an act approved February 27, 1919, entitled "An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania," be, and the same is hereby, amended so that the time within which the actual construction of said bridge may be commenced is hereby extended for a period of two years, and the time for the completion of said bridge is hereby extended for a period of four years, from the date of the approval of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the times for commencing and completing the construction of a bridge, authorized by act of Congress approved February 27, 1919, to be built across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania, are hereby extended two and four years, respectively, from the date of approval hereof.

"Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GARD. Reserving the right to object, is this the third of a series of bills in and about Pittsburgh and Allegheny City, or are we on a new series?

Mr. KELLY of Pennsylvania. This is the only bill applying to the Monongahela River. It is the fourth of a series applying to Allegheny County.

Mr. GARD. The gentleman's colleague [Mr. PORTER] has had two or three bills, all of them extending the time for beginning the work by two years and the completion by four years. The gentleman presents a bill in precisely the same terms, and I rise to inquire why it is this extension of time in beginning and completion is required.

Mr. KELLY of Pennsylvania. The gentleman from Pennsylvania, my colleague [Mr. PORTER] stated last night what the reason was, which is the impossibility of securing the materials. The plans have been approved by the War Department and the county commissioners, but the material could not be procured.

Mr. GARD. Is there any plan on this bill that the gentleman has?

Mr. KELLY of Pennsylvania. The plans have been approved by the War Department.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

By unanimous consent, the title was amended to read as follows: "A bill to extend the time for the construction of a bridge across the Monongahela River, at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania."

On motion of Mr. KELLY of Pennsylvania a motion to reconsider the vote by which the bill was passed was laid on the table.

#### AMENDING FEDERAL RESERVE ACT.

Mr. PLATT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4436).

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill, which the Clerk will report by title.



The Clerk read as follows:

An act (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act.

The SPEAKER. Is there objection?

Mr. KING. Mr. Speaker, reserving the right to object, this is the act amending the Edge bill?

Mr. PLATT. Yes; it is an act in regard to depositories in Panama and the Philippine Islands.

Mr. KING. Mr. Speaker, I regret very much, but I feel constrained to object and I do object.

Mr. PLATT. I hope the gentleman will not object.

The SPEAKER. The gentleman from Illinois objects.

Mr. PLATT. Mr. Speaker, I move to suspend the rules.

The SPEAKER. Not at present; the Chair will recognize the gentleman a little later for that purpose.

#### NAVAL OFFICERS DETACHED TO SOUTH AMERICAN REPUBLICS.

Mr. KELLEY of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4435).

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read as follows:

An act (S. 4435) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America.

*Be it enacted, etc.,* That the President of the United States be, and he is hereby, authorized, upon application from the foreign Governments concerned, and whenever in his discretion the public interests require, to detail officers of the United States naval service to assist the Governments of the Republics of South America in naval matters: *Provided*, That the officers so detailed be, and they are hereby, authorized to accept offices from the Government to which detailed, with such compensation and emoluments therefor as may be first approved by the Secretary of the Navy: *Provided further*, That while so detailed such officers shall receive, in addition to the compensation and emoluments allowed them by such Governments, the pay and allowances of their rank in the United States naval service, and they shall be entitled to the same credit while so detailed for longevity, retirement, and for all other purposes that they would receive if they were serving with the United States naval service.

The SPEAKER. Is a second demanded?

Mr. GARD. Mr. Speaker, I demand a second.

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KELLEY of Michigan. Mr. Speaker, this is a bill authorizing the acceptance of positions by our naval officers in the navies of the South American Republics for the purpose of instructing naval officers there and for the purpose of assisting in the reorganization of South American navies. It provides that such officers as may be assigned to this work may accept additional compensation from those Governments. This legislation is asked for by the State Department and by the Navy Department, and a number of ministers to this country from South America are particularly anxious that their Governments may have the advice and counsel of officers of the United States Navy in reorganizing their navies. This bill is made necessary by reason of the fact that our Constitution provides that no officer of the United States can accept emoluments or office in another country without the consent of the Congress.

I reserve the remainder of my time.

Mr. GARD. Mr. Speaker, what I am led to say will probably be more an inquiry for my own enlightenment. The bill, as I understood it when read, provides for the designation by the Secretary of officers of the Navy to assist in the formation and building up of the navies of South American Republics?

Mr. KELLEY of Michigan. That is right.

Mr. GARD. What number of officers is contemplated to be used?

Mr. KELLEY of Michigan. Oh, a very limited number. The particular request at this time comes from the Republic of Peru. Mr. PORTER, the chairman of the Committee on Foreign Affairs, is present, and perhaps he can give a little more definite idea as to that than myself; and I will yield to him.

Mr. PORTER. Mr. Speaker, we have two precedents for this action—the act of 1914, in relation to the Republic of Haiti, and the act of 1916, in reference to the Dominican Republic. These officers are assigned to South American Republics and are permitted to receive additional compensation, but that compensation must be approved by the Secretary of the Navy. The present situation, I think, requires about three or four men—not more than that. It is a measure that the State Department is very much in favor of for reasons I would not care to state.

Mr. PADGETT. Would the gentleman permit an interruption?

Mr. GARD. Surely.

Mr. PADGETT. Along the same line we provided for Haiti and Santo Domingo?

Mr. GARD. It would seem to me, from the statement of the chairman of the Committee on Foreign Affairs, and members of the Committee on Naval Affairs as well, that there have been precedents for this sort of action—

Mr. KELLEY of Michigan. Yes; in Brazil—

Mr. GARD. Of affording relief to an individual country. Now, the gentleman says this more definitely applies to Peru than any of the South American Republics. What I was particularly inquiring about was as to the number of officers it would be necessary to send down there, because here we are establishing not a policy of giving officers to one country that is making a particular request, but, as I understand from the reading of the bill, we are establishing a policy which may permit the Navy at any time to give officers to South American Republics after the passage of this bill. Now, there is no limitation as to that; and that which I desire to call to the attention of the gentleman—and I hesitate to do that because he has much superior knowledge to mine of these affairs—is that I would like to know his opinion of the policy of the United States affirmatively determining now that it will send, upon the request of foreign Governments, these naval officers to help build the navy of any other country. I ask that of him as a general policy—not after the country has made known its necessities, but when we have such a law on the books. And for this reason: We pay our naval officers pretty well. We got through a bill the other day—and, by the way, there was not a very complete understanding the other day on the report of the conference concerning the naval retirement bill, so that I am sure the membership of the House will be interested in having the gentleman's opinion as to the extent to which this bill goes. As I understand the bill, it provides this general policy of sending officers down to South American Republics; it provides for their accepting money compensation, with the approval of the Secretary of the Navy; it provides at the same time for their continuing to receive their salaries and allowances from the United States of America. Now, I for one am very willing and anxious, indeed, to do everything I can to assist the South American countries, because they are so intimately allied with us in interest; but here we are establishing a policy which applies to our naval conduct; that is, a policy of giving a man a salary and permitting him additional compensation at such period and at such time as is necessary, and establish it not as the necessity of a particular occasion but as a permanent policy. It is on that I would be glad to have the gentleman use some of his time.

Mr. KELLEY of Michigan. Mr. Speaker, I will say to the gentleman that the question of establishing a policy of that kind is a matter of opinion, anyhow. The number of officers involved, the gentleman can readily see, would be very limited, and the relationship between the South American Republics and this Government is such that we, for their benefit as well as our own, could very well afford to do this. Now, as to the question of whether the officers should receive additional compensation from those Governments, the gentleman can readily see that the expense involved in removing to South America with his family and all that for a period of a year or two years might be such as to stand in the way of getting almost any naval officer to go down there.

And if it is to be of any service at all, why, the additional compensation probably must be permitted.

Mr. GARD. What compensation has been given in the past? What compensation was given in the loan of officers to the Dominican Government?

Mr. PADGETT. They received their regular pay.

Mr. KELLEY of Michigan. The Haitian Government pays our marine officers something in addition to their regular pay.

Mr. PADGETT. Such amount as may be approved here.

Mr. GARD. And the entire Haitian Navy could be placed in this room and there would be a lot of room remaining.

Mr. KELLEY of Michigan. I do not know whether I have supplied all the information the gentleman from Ohio is seeking or not, but I think I have stated substantially the situation.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken, and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

#### MUNICIPAL BRIDGE APPROACHES, ST. LOUIS.

Mr. IGOE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4167.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill, which the Clerk will report.

Mr. THOMAS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. THOMAS. I make the point of no quorum.

The SPEAKER. The Chair will count.

The SPEAKER proceeded to count.

Mr. THOMAS. Mr. Speaker, I withdraw the point and I ask unanimous consent to address the House for 15 minutes on the consideration of this bill.

Mr. MONDELL. I thought the gentleman wanted 10.

Mr. THOMAS. I have increased it now, because I have had to wait so long.

Mr. MONDELL. The gentleman should not object to 10 minutes.

Mr. THOMAS. Well, I will take 10 minutes out of order.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for 10 minutes after the completion of this bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 4167) to extend the time for the completion of the municipal bridge approaches, and extensions or additions thereto, by the city of St. Louis, within the States of Illinois and Missouri.

*Be it enacted, etc.,* That the time for the construction and completion of the municipal bridge approaches and also extensions or additions thereto, which said construction and completion was authorized by an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906, be, and the same is hereby, extended for the period of three years from February 11, 1921.

Sec. 2. That for the purpose of carrying into effect the objects of this act, the city of St. Louis may receive, purchase, and also acquire by lawful appropriation and condemnation in the States of Illinois and Missouri, upon making proper compensation therefor, to be ascertained according to the laws of the State within which the same is located, real and personal property and rights of property, and in order to facilitate and support interstate commerce, may make any and every use of the same necessary and proper for the acquirement, construction, maintenance, and operation of said municipal bridge approaches, and extensions or additions thereto, consistent with the laws of the United States.

Sec. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. IOGE, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### LEAVE TO ADDRESS THE HOUSE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that at the termination of the remarks of the gentleman from Kentucky the gentleman from Kansas [Mr. STRONG] may address the House for 10 minutes.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the gentleman from Kansas may address the House for 10 minutes following the gentleman from Kentucky. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kentucky [Mr. THOMAS] is recognized for 10 minutes.

Mr. THOMAS. Mr. Speaker and gentlemen of the House, it seems in these latter days of this Congress that Jordan is a hard road to travel and full of stumps to get time to make even a 10-minute speech in this House. But it seems that after great and continuous labor I have succeeded. [Applause.]

A few days ago this House voted upon the question of a soldiers' bonus. I was from the beginning, without any wavering, for that bonus, and I think that every man in this House who voted upon that question voted as he thought right and proper. [Applause.] And as for myself, I have no apologies to make now nor henceforth to any human being for my vote on that question, much less to the Louisville Courier-Journal and the Times, which are not even constituents of mine and can not control my vote by anything they may say or any abuse they may heap upon me. I am one of those individuals who is not afraid of the newspapers of this country, and at all times I will resent any imputation they may make upon my honesty or fidelity to my constituents. A few days ago, soon after the vote was taken, the Louisville Courier-Journal took occasion to vilify and to libel every man in this House who voted for the soldiers' bonus, and neither the editor of the Courier-Journal nor the editor of the Times, who is a lusty young lout, and by some method evaded the draft, can vilify me without it being resented. They called every Member of this House who voted for that bill cowards and hypocrites, together with some other choice epithets.

Those papers have always been guilty of that kind of conduct. They are incorrigible libelers and would-be bulldozers.

The cook may roast and disinfect them as much as she will, But the scent of the skunk will cling to them still.

[Applause.]

Now, who is the editor of the Louisville Courier-Journal? He is a gentleman who is progressive at least in name and militant fortune hunting. He is a North Carolina mountain carpetbagger who drifted into Louisville some years ago and practiced at the law for a while in police and other courts wherever he could obtain employment. What he left the State of North Carolina for I do not know. [Applause.] Some men leave their native country because they have to and some because they want to. I have heard it intimated by people from North Carolina that he left because of an abnormal development of the cranium—osseous, gentlemen, not mental [laughter]—to seek a broader field of uselessness [laughter]. At any rate he came as a carpetbagger to Kentucky and sought political preferment in company with as conscienceless a crowd of political looters, according to the Supreme Court of Kentucky, as ever existed in the city of Louisville.

You gentlemen from New York, Philadelphia, Chicago, and other large cities who have been up against such conditions know what that means. He was elected county attorney, but was deprived of the office by a decision of the supreme court which voided the entire election because of fraud. He was elected as a Democrat, but probably the decision of the supreme court shocked his modesty and offended his dignity, and he proceeded to be revenged by running on the Republican ticket for judge of the supreme court against Judge Shackelford Miller, one of the best and most capable judges that ever sat on the bench in Louisville, but was defeated, as he should have been. Next he was appointed by the Democratic governor of Kentucky to fill out an unexpired term as mayor of Louisville, which he did without credit to himself or benefit to the city. [Laughter.] Next he was appointed by the Republican governor of Kentucky to fill a vacancy in a circuit court judgeship in Louisville, and he now has both the senatorial and gubernatorial bees buzzing about his ears, but I do not know whether he will try his political fortune for a nomination on the Democratic or Republican ticket, but I suspect on either on which he thinks he is most likely to succeed. [Applause.] When he just drifted into Louisville he was known as plain, common Bob Bingham, and mentally quite common at that, I suspect. [Laughter.]

After he was elected county attorney he became R. W. Bingham; upon his appointment as circuit judge he became Judge R. W. Bingham; and next Col. Robert W. Bingham. He is a mighty man against a bonus for anybody except himself, and when, to say the least of it, by fortuitous circumstances, he obtained a bonus of \$5,000,000 in the way of a petticoat pension [applause and laughter] he at once became Col. Robert Worth Bingham. I know that he is Col. Robert Worth Bingham because he admits it, and I have seen that statement frequently in his own paper. [Laughter.] And I am looking every day for him to dub himself Gen. Robert Worth Bingham, Commander in Chief of the Army and Navy of the United States. [Laughter.]

He is, in my opinion, a political hermaphrodite, commonly called "morphodite" [laughter], with a decided leaning toward the Republican Party. His favorite associates are the Republican governor and Republican national committeeman of Kentucky, whose praises he is constantly singing in the Courier-Journal. They are his political mentors and advisers, and I understand he will attend the Republican national convention at Chicago in the company of those worthies, though I doubt if he ever goes near the Democratic national convention at San Francisco. [Applause.]

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to continue my remarks for 10 minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to continue for 10 minutes. Is there objection?

Mr. MONDELL. Mr. Speaker, I have no objection to the gentleman's continuing for two or three minutes to conclude his interesting remarks.

Mr. THOMAS. I can take up that time more quickly than would be taken up by calling for a quorum.

Mr. MONDELL. How would five minutes do?

Mr. THOMAS. I do not think I could get through with less than 10 minutes. I want to finish this speech. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMAS. Mr. Speaker, as I said, this man is opposed to the bonus, as all slackers and profiteers and tax dodgers are, and as are many who do not belong to any of those classes. Mr. Bingham has already received his bonus, and with a part of the proceeds he purchased the Louisville Courier-Journal, unfortunately not only for the democracy of the State of Kentucky but unfortunately for the whole people of that State.



Mr. Speaker, the inventive genius of man has constructed machines which have converted the highways of the eagle into human paths, but the feeble wings of weaker and ignoble birds have never been able to attain those sublime altitudes; and Col. Robert Worth Bingham, he of the progressive name, sitting upon the editorial tripod of the Louisville Courier-Journal as the successor of Col. Henry Watterson, whose shoes he is not worthy to untie, is but a feeble substitute for that distinguished and able editorial gladiator. Col. Robert Worth Bingham, sitting in the editorial seat of "Marse" Henry Watterson, may be compared to a dried and shriveled-up pea rattling around in the infinitude of immeasurable space. [Laughter and applause.]

Mr. Speaker, the Louisville Times, the evening sewer adjunct of the Courier-Journal, takes up the discordant chorus of Blanche Tray and Sweetheart with such choice epithets as "cowards," "dishonest," "detestable" in its libel of those who voted for the soldiers' bonus. That paper is presided over by a husky young man by the name of Krock, whose name, I am informed, was formerly Krockenstein. If that be true, perhaps he changed his name, if he did, in imitation of his distinguished "boss," Col. Robert Worth Bingham. [Laughter.] I have a poor opinion of any man who will repudiate his father's and family name by decree of court or otherwise. [Applause.] Mr. Krock, or Krockenstein, as the case may be, spent some years in Washington, D. C., as a kind of correspondent and errand boy for the Courier-Journal, and thereby became eminently qualified to take charge of the Times, which he did, instead of going into the Army and fighting for his country, as he should. How he escaped the draft I do not know, but it is sufficient to say that he did. [Applause.] He is not, I think, primarily to blame for the outburst in the Times, as he is the Courier-Journal's man Friday, and the ox knoweth its owner and the ass its master's crib. [Applause.]

The Times is particularly severe on me, because it says I voted for the rule and thereby voted for the bonus twice. I did, and would have voted for it three times had opportunity presented itself. I do not believe Mr. Krock a bad man at heart; he is only afflicted with an exaggerated case of the swell head, brought on principally by a trip to Europe to advise President Wilson just how to negotiate a peace treaty and League of Nations, but maybe as he grows older he will be relieved, to some extent, of his distressful malady. He remained in Paris quite a time and performed his onerous duties as adviser along with Col. House at least to his own entire satisfaction. [Applause.]

He returned wearing a pair of glasses that covered most of his face, which was a good thing, because the more of his face that is hidden the better looking he is. [Laughter.]

When he returned home he stepped upon the shores of the New World with his golf sticks, his monocle, and his dignity and with all the pomp and confidence of Pizarro when with sword in hand he leaped upon the soil of America. The other side of the world tipped up, and for several days the seismograph at Georgetown, D. C., registered numerous not to say continuous earthquake disturbances, and it must have required an entire coach or maybe two to convey him along his triumphal journey from New York to Louisville [laughter], and he there remains the presiding genius of the Times; and, along with Col. Robert Worth Bingham, is engaged in the patriotic duty of regulating generally the affairs of this mundane sphere, and Congress in particular. [Applause.]

The bonus applies only to incomes of \$5,000 or more, with a tax on transfers of real estate and stocks and bonds. It is not, in my opinion, the best bill that could have been devised, but was the best that could be obtained, and I willingly voted for it.

The young men of this country were drafted into the Army. In many instances they were taken from remunerative employment and sent overseas to alien lands to fight at a salary of \$30 per month, and are justly entitled to more compensation.

All countries must rely chiefly on their young men in the time of need and day of battle. Hannibal stood an infant before the Punic altar fires and swore eternal enmity to Rome. At 24 years of age he led a mighty army across the plains of sunny Italy and thundered at the gates of the Eternal City while her frightened soldiers and citizens crouched in mortal terror behind the protecting walls. [Applause.]

The rosy-cheeked school boys of France were conscripted and torn from their homes to uphold the desperate fortunes of the tottering Empire and, as they charged down on the English squares at Waterloo and died in a rain of shot and shell, their pallid lips cried "Long live the Emperor!" [Applause.]

The fidelity of the boys of America was proudly proved on the battle fields of Europe, and Château-Thierry, Belleau Wood, and the Argonne are imperishable monuments to their lofty

courage, and the House of the American Congress fittingly voted them some compensation for their love of country and devotion to duty. [Applause.]

The SPEAKER. The gentleman from Kansas [Mr. STRONG] is recognized for 10 minutes.

Mr. STRONG of Kansas. Mr. Speaker and Members of the House, the soldiers' adjusted compensation bill, after a long, hard fight, has finally passed the House and is now before the Senate, where the same big-business interests, the same southern opposition, and the same forces of selfishness and prejudice will be found trying to delay and oppose it.

As it came from the Ways and Means Committee and passed the House, it provides for additional compensation for soldiers, sailors, and marines below the rank of major in the Army or its equivalent in the other services, to the amount of \$1 per day with a maximum of \$500 for service in this country, and a dollar and a quarter per day with a maximum of \$625 for overseas service, less the \$60 compensation already paid. It provides for the option of vocational training, farm and home aid, land settlement aid, and paid-up life insurance; and in the case of the last four options an additional 40 per cent is added. It will require between fifteen hundred and two thousand million dollars to carry out the provisions of the bill. Taxes to raise the necessary funds are provided in the bill as follows: Additional surtaxes graduating from 1 to 3 per cent on incomes in excess of \$5,000; 2 cents on each \$10 of stock and bond transactions; 2 cents on each \$10 for transactions on the board of trade; 5 cents for each \$10 on real estate transfers; 15 per cent additional on cigars and tobacco.

I am frank to say that there are discriminations and taxing features in the bill which, in my opinion, are unwise. A tax on war profiteers should be added, as no man or group of men should have been permitted to make money from the war. The same qualities of sacrifice and response to duty which were asked from the service men should have been demanded from those who remained at home. The mistake was made in not drafting capital, industry, and transportation to serve the Nation as the service men were drafted; for then there would have been no war profiteers, no cost-plus contractors, no riot of high wages, graft, high cost of living, and millionaire making. We would not now have such an immense national indebtedness and an empty Treasury. [Applause.]

But this bill is the result of compromises; it is the best its friends on the Ways and Means Committee could secure, and it has the indorsement of the American Legion representatives and other organizations who were in close touch with the contest here.

We, who fought for this legislation, who appeared before the committee having it in charge, who signed petitions forcing conferences, and who talked and argued and finally filibustered for this measure, know that the fight is not yet won. We know that those who fought it in the House will carry the fight to the Senate. We know that those who are opposed to being taxed to give additional compensation to the men who fought for them at a dollar per day, and who caused the great newspapers of the country to speak of "a raid on the Treasury," of "currency inflations," of "interference with production," of "increasing the high cost of living," and of "pauperizing patriotism," will continue their propaganda, but we who supported this legislation know that it does not take a dollar from the Treasury until after it is first placed there by the taxes provided in this bill; that not one cent is to be added to our circulation, and that as the cash payments do not begin until July, 1921, and are then continued in \$50 installments every three months, it is silly to talk of lowering production and increasing living costs because of too much money in the hands of the colored soldier or those in the cities. The truth is that until we eliminated the sales tax from this bill there was little real opposition to it. As long as it was believed the burden could be placed upon the people without making the wealth of the country pay its share, there was but little organization to defeat the bill; but now that the taxes are to be paid largely by those possessed of large means, every effort is used to defeat it. Let me advise the great wealth of this country that before it insists on large standing armies and great navies, together with compulsory military training, for the protection of its interests, it would be well to show some willingness to pay more than \$30 per month to the men who at such great sacrifice defended this Nation, including the fortunes of those who now forget. [Applause.]

We who supported this bill know that you can not pay a man for the sacrifice of time, opportunity, position, and the risk of life and limb. Any ex-soldier would justly resent the placing of any price on his patriotism. Our young men are not demanding money or land because they did their duty. They are only asking for a square deal. We are proud of them, of their

service and glorious record whether upon the battle fields of France or in the camps at home; all willingly and gladly did their duty, no matter how disagreeable or at what cost. They did not profiteer or grow rich. Some few may have secured soft jobs, some few may have obtained positions of rank and safety and comfort through their request or influence, but the vast majority, including my own son, entered the camps and served where they were ordered; they fought or were preparing or assisting others to fight. Hence there should be no discrimination between them.

It is unfair to say that these young men do not want and need the additional compensation to which they are entitled. Individually and collectively, they have advised me of their wishes and needs. The young farmer gave up his farm, his implements, and his live stock to return and find that to repurchase them he must pay two and three times the price he sold them for. The young business man left his position, his chance of promotion, his future, to return and find others had taken his opportunity. The schoolboy, the laboring man, the professional man, all sacrificed greatly by their service. This Nation called these men to its service and set their salary at \$1 per day, and then proceeded to pay men who were not so called from \$3 to \$10 per day. Of course, we can not pay them for this sacrifice; but we can aid them to secure some of the opportunities, some of the positions, and some of the advantages they lost—to reestablish themselves. I deeply regret that the great propaganda put out over the country by the organizations of those affected by the taxes in this bill should have caused about 40 Republican Members to have joined with an almost solid Democratic minority in an attempt to prevent the bringing of this bill before the House; but I am glad and proud that the great majority of my party supported every parliamentary situation which made possible the passage of this bill to provide just aid to the new soldiers who served this Nation, even as it has always aided the veterans of other wars. [Applause.]

#### DAMAGE CLAIMS UNDER COAST AND GEODETIC SURVEY.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3270.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill S. 3270, which the Clerk will report.

The Clerk read as follows:

A bill (S. 3270) authorizing the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases.

*Be it enacted, etc.,* That the Superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, is hereby authorized to consider, ascertain, adjust, and determine all claims for damages, where the amount of the claim does not exceed \$500, hereafter occasioned by acts for which the Coast and Geodetic Survey shall be found to be responsible, and report the amounts so ascertained and determined to be due the claimants to Congress at each session thereof through the Treasury Department for payment as legal claims out of appropriations that may be made by Congress therefor.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is this bill an extension of the principle under which the Secretary of the Navy is now allowed to settle claims for damages not exceeding \$500?

Mr. ESCH. It is practically the same principle, and also the principle that was established in the Lighthouse Service. The trouble is that these small claims for damages caused by the crews of the Coast and Geodetic Survey in triangulating harbors and in running their lines can not now be settled.

Mr. GARD. What is the present limit?

Mr. ESCH. None. The only remedy a party has is to go to the Court of Claims. At the time the report was made to the committee by the Secretary of Commerce there were 12 claims that were proper to be settled, which aggregated only \$441, but they had no authority to settle and adjust them. The claims would have to go to the Court of Claims, and the amounts do not justify the bringing of actions.

Mr. GARD. Is it the gentleman's idea that the amounts which would be thus adjusted are so small as not to justify court action?

Mr. ESCH. Yes; that is practically the reason.

Mr. GARD. My own idea is that we ought not to extend this principle very far. It may be that the fact that these claims are small in amount, and that the Court of Claims will be relieved of work, is a sufficient excuse for this kind of a law; but, ordinarily, I am not in favor of investing bureaus or heads of departments with the settlement of claims.

Mr. ESCH. In principle I agree with what the gentleman says, but I do not think there will be any danger of this privilege being utilized to any great extent. It will bring relief to

people who have small claims and who heretofore have been denied payment.

Mr. DUPRÉ. Is there not a practically identical provision in existing law now with regard to damages done by the Army engineers in river and harbor work?

Mr. ESCH. I am not advised as to that fact; but this authority exists in the Navy Department and in the Lighthouse Service.

Mr. DUPRÉ. It obtains in the War Department, in the Board of Engineers, where losses amounting to less than \$500 may be adjusted.

Mr. ESCH. That makes an additional precedent for this legislation.

Mr. GARD. Is this a unanimous report from the committee? Mr. ESCH. Yes; and the report is made by the Superintendent of the Coast and Geodetic Survey and also by the Secretary of Commerce.

Mr. Speaker, I ask for a vote.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

#### STARTING POINT OF WASHINGTON TO SAN FRANCISCO MOTOR CONVOY.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent for the present consideration of H. J. Res. 270, authorizing the erection of a monument marking the starting point of the motor convoy from Washington to San Francisco.

The SPEAKER. The gentleman from Alabama asks unanimous consent for consideration of a joint resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved, etc.,* That the Secretary of War is hereby authorized to permit the replacement of the temporary monument located on the United States meridian of longitude at a point on the north side of the Ellipse, within the District of Columbia, by a permanent monument, which shall mark the starting point of the motor convoy from Washington, D. C., to San Francisco, Calif., and which may serve as a point from which distances may be measured on United States highways radiating from Washington, D. C. Such replacement shall be made without expense to the United States, and the design of such monument shall be approved by the Commission of Fine Arts.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I understand this is simply for the erection of one monument down here on the Ellipse?

Mr. BANKHEAD. If the gentleman will pardon me, I will make a brief statement about the purpose of the joint resolution.

Mr. WALSH. I do not want to object, if that is the purpose.

Mr. BANKHEAD. Yes. It is to authorize the erection of a monument on the Ellipse, not only as the initial marker for the Lincoln Highway, over which the convoy has already gone, but to establish at that particular point a marker or milestone as the starting point for all these transcontinental highways that are being constructed.

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman from Wyoming how much more chicken feed of this sort is going to be run through the hopper before we recess?

Mr. MONDELL. I do not class this as chicken feed. It is important to the gentleman from Alabama and it is important to the people who are interested in motoring through the country. It is not the most important thing in the world, but it is important in its way.

Mr. BLANTON. People who want to motor across the United States could start from the Capitol or from the Monument or Willard Hotel, or somewhere else.

Mr. MONDELL. Yes; but we would prefer that they would start from this monument. [Laughter.]

The SPEAKER. Is there objection?

Mr. GARD. I reserve the right to object, and do it primarily to give the gentleman an opportunity to make a brief statement.

Mr. BANKHEAD. Mr. Speaker, the joint resolution was introduced by the gentleman from California [Mr. KAHN]. It was reported from the Committee on the Library and has been on the Unanimous Consent Calendar for some time. In order to show the purpose of the resolution, I will read a portion of the report:

It seems logical that the system of highways which begin in Washington and radiate therefrom across the continent and to all parts of the national domain should radiate from a definite point in the Capital of the Nation.

The point is on one of the lines of world measurement, the meridian of the District of Columbia, which is the axis of Sixteenth Street, the White House, and the Ellipse, the exact point being the coincidence of this meridian line with the north point of the Ellipse.



From this point on July 7, 1919, two companies of the United States Army began their successful journey by motor convoy over the Lincoln Highway to San Francisco. In order to mark the historic importance of this epoch-making expedition, a temporary monument was placed at the point of departure and was presented to the Government just before the convoy started by Dr. S. M. Johnson, who also tendered to the Government the offer of a permanent monument to take its place in due season. In the absence of the President and upon his behalf the gift was accepted for the Government by the honorable Secretary of War, Newton D. Baker.

I will state that I think it is proper because—and in calling the matter up I trust you will pardon my indulgence in a personal allusion—on the 14th of June next the convoy of a similar character to this is to make a journey over the highway named for my late father, and it is the purpose of gentlemen interested in this proposition to have a permanent monument not only to mark the initial milestone of the transcontinental highway but to give dignity to this matter involved in the highway department.

It will involve no expense to the Government, the monument is already provided, and this stone will not be offensive to the view or the landscape.

Mr. GARD. Still reserving the right to object, who is to furnish the monument that has been provided for?

Mr. BANKHEAD. The funds have been provided. The money was given by Mr. F. W. Hockaday, of Wichita, Kans., president of the Highway Marking Association, and the design has been approved by the Commission of Fine Arts.

Mr. GARD. What is the National Highway Marking Association?

Mr. BANKHEAD. I do not know that I can give the gentleman definite information about that. It was organized for the purpose of marking the highways with different milestones and is purely a patriotic proposition, without any selfish interest in the world.

Mr. GARD. The old method of marking highways over which I occasionally travel, over the old national road, where there were certain stones set at the road intersections or by the roadside, are almost entirely obliterated. Now they are sunk in the ground, many are mutilated, and they serve no good purpose. The modern idea of the direction to the traveler on the road is by a sign that any man can read as he goes by.

Mr. BANKHEAD. That is the purpose of this highway association.

Mr. GARD. The monument provided by this resolution seems to me to serve no good purpose, because nobody is going down to the ellipse to start over the highways from that point.

Mr. BANKHEAD. That was the point from which the convoy started when it went over the Lincoln Highway.

Mr. GARD. That was a military test, and the convoy may go over it again, but unless there is some official designation for a monument after it has been put up, in 10 years there will not be five people leaving from Washington from that designated point by that monument.

Mr. BLANTON. Will the gentleman yield?

Mr. GARD. Yes.

Mr. BLANTON. Congress, through this resolution, is seemingly asked to indicate its desire that people hereafter, when they leave Washington, shall go to this particular monument and start.

Mr. BANKHEAD. Oh, no.

Mr. WHEELER. I ask for the regular order.

The SPEAKER. Is there objection?

Mr. GARD. I was reserving the right to object, but if anyone desires to call for the regular order I will object. I was seeking further information, and I want to ask the gentleman—I understand the sentiment in his proposition and approve it.

Mr. BANKHEAD. I did not want to take up the time of the House to read the report.

Mr. GARD. The time of the House can well be devoted to information in relation to matters here presented.

Mr. BANKHEAD. What is it the gentleman desires to know.

Mr. GARD. The particular thing I desire to know is whether this mark, starting as it does down there, is intended to be one of a series of marks, either by the mile or by any other designated distance, to be placed on the roads of the United States at any public expense.

Mr. BANKHEAD. Absolutely not.

Mr. LUCE. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. LUCE. Mr. Speaker, the Committee on the Library, of which I have the honor to be a member, saw in this simply a symbolical expression of the interest in the good-roads movement. It simply adds to the very interesting points in Washington a marker that is erected without cost to the Government.

Mr. GARD. We might with equal propriety establish a monument where the first ox train started over on its road to

the Pacific coast. That would be just as sensible as to put a marker where some Army transport started for the Lincoln Highway a year or two ago.

Mr. LUCE. I think, if I may further take the time, that the gentleman does not quite understand the symbolical—

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

RECORDS OF JOINT COMMISSION ON RECLASSIFICATION OF SALARIES.

Mr. LEHLBACH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate joint resolution 160, to provide for the preservation and maintenance of the records of the Joint Commission on Reclassification of Salaries.

The SPEAKER. The gentleman from New Jersey asks unanimous consent for the present consideration of Senate joint resolution 160, which the Clerk will report.

The Clerk proceeded to report the joint resolution.

Mr. BLANTON (interrupting the reading). Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects.

Mr. HUDDLESTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. MONDELL. Mr. Speaker, I trust the gentleman will withhold that. We are expecting an important conference report very shortly.

Mr. HUDDLESTON. I am making that point with a view of preventing the calling up of the bill to create Gen. Crowder a lieutenant general, which I understand is about to be brought up. If that is not to be brought in, I shall not make the point.

The SPEAKER. The Chair suggests that the gentleman consult the Chair.

Mr. HUDDLESTON. Very well. I withdraw the point temporarily.

BUREAU OF AERONAUTICS, NAVY DEPARTMENT.

Mr. HICKS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14123) to create a bureau of aeronautics in the Department of the Navy, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill (H. R. 14123) which the Clerk will report.

The Clerk proceeded to report the bill.

Mr. BLANTON (interrupting the reading). Mr. Speaker, I object.

Mr. HICKS. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 14123.

The SPEAKER. The Chair does not recognize the gentleman for that purpose at this time.

AMENDING THE FEDERAL RESERVE ACT.

Mr. PLATT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4436) to amend the act approved December 23, 1913, known as the Federal reserve act.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill S. 4436. Is there objection?

Mr. JAMES. Mr. Speaker, I object.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

H. R. 13313. An act to authorize the construction of flood-control and improvement works in Boise de Sioux, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota; and

H. R. 13329. An act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had further insisted upon its amendments to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for

other purposes, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Washington, Mr. CALDER, Mr. McNARY, Mr. SIMMONS, and Mr. RANSELL as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following order:

The Vice President, acting under and by virtue of a paragraph in the naval appropriation act creating a joint committee, "to be composed of five Members of the Senate, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House, to investigate the advisability of establishing, developing, and maintaining a naval base on San Francisco Bay or the waters tributary thereto," appointed Senators BALL, McCORMICK, KEYES, PITTMAN, and WALSH of Montana as members of the joint committee on the part of the Senate.

#### ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13313. An act to authorize the construction of flood-control and improvement works in Boise de Sioux River, the Red River of the North, and Lake Traverse, between the States of Minnesota, North Dakota, and South Dakota;

H. R. 13329. An act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes;

H. R. 2. An act to pension soldiers and sailors of the War with Spain, the Philippine insurrection, and the China relief expedition;

H. R. 12530. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 13229. An act to establish in the Department of Labor a bureau to be known as the women's bureau.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 1726. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. J. Res. 152. Joint resolution authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States;

S. 547. An act authorizing the enlistment of non-English-speaking citizens and aliens;

S. 4427. An act granting the consent of Congress to the city of Columbus, in the State of Georgia, to construct a bridge across the Chattahoochee River;

S. 3566. An act to amend section 3 of an act entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States," approved February 5, 1917;

S. 4212. An act to authorize the Central Railroad Co. of New Jersey to construct a bridge across the waters of the Delaware River between the city of Easton, in the State of Pennsylvania, and the city of Phillipsburg, in the State of New Jersey;

S. 4286. An act to amend an act entitled "An act to authorize the incorporated town of Petersburg, Alaska, to issue bonds in any sum not exceeding \$75,000 for the purpose of constructing and installing a municipal electric light and power plant and for the construction of a public-school building," approved September 29, 1919; and

S. 4402. An act authorizing Troup County, Ga., to construct a bridge across the Chattahoochee River near West Point, Ga.

#### SALARIES OF POSTAL EMPLOYEES—CONFERENCE REPORT.

Mr. STEENERSON. Mr. Speaker, I present a conference report upon the bill H. R. 14338, entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," which I send to the desk. I ask unanimous consent for its immediate consideration and that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Minnesota presents a conference report upon the bill H. R. 14338 and asks unanimous consent for its present consideration and that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the conferees.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 14338, an act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of "125" named in said amendment insert the following: "120"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: In lieu of the matter inserted by the Senate insert the following: "When the amount exceeds \$100 for any one quarter, the postmaster shall be allowed—on the first \$100, 115 per cent; on the next \$100 or less 75 per cent; and on the balance 60 per cent"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of "60" named in said amendment insert the following: "50"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following: "Inspectors shall be paid their actual expenses not to exceed \$5 per day while engaged on official business away from their homes and official domiciles. The appropriation for per diem allowance authorized for the fiscal year beginning July 1, 1920, may be utilized for such expenses."

And the Senate agree to the same.

H. STEENERSON,

MARTIN B. MADDEN,

JOHN A. MOON,

*Managers on the part of the House.*

CHAS. E. TOWNSEND,

THOMAS STERLING,

J. C. W. BECKHAM,

*Managers on the part of the Senate.*

#### STATEMENT.

The managers on the part of the House at the conference on the disagreement of the House to the amendments of the Senate to the bill (H. R. 14338) entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," submit the following written statement in explanation of the effect of the action agreed upon by the conferees as to each of said amendments, to wit:

The Senate recedes from its amendment No. 9. This amendment relates to compensation of employees of the equipment shops under the Fourth Assistant Postmaster General.

The House recedes from its disagreement to the amendments of the Senate numbered 1, 5, 6, 7, and 10.

Amendment No. 1 provides for compensation of fourth-class postmasters at the rate of 145 per cent, instead of 140 per cent on the cancellations amounting to \$75 or less per quarter. Under existing law they receive 138 per cent.

Amendment No. 5 provides for transfer of clerks and carriers to new grades.

Amendment No. 6 inserts the words "Provided further."

Amendment No. 7 inserts the words "And provided further" to correct the phraseology of the bill.

Amendment No. 10 provides for automatic promotions in addition to increases allowed in the bill upon completion of one year's satisfactory service.

The House recedes from its disagreement to the amendments of the Senate numbered 2, 3, 4, and 8.

Amendment No. 2 strikes out "\$125" and inserts "\$120."

Amendment No. 3 is in lieu of the matter inserted by the Senate, and reads as follows, to wit: "When the amount exceeds \$100 for any one quarter, the postmaster shall be allowed on the first \$100, 115 per cent; on the next \$100, 75 per cent, and on the balance, 60 per cent."

Amendment numbered 4 strikes out "60 per cent" and inserts "50 per cent," and relates to the computation of gross receipts



at the Washington, D. C., post office, to determine the compensation of supervisory officials.

Amendment numbered 8 relates to expenses of post-office inspectors. It strikes out the words "official headquarters," so that they are not paid expenses when on duty at homes or official domiciles.

HALVOR STEENERSON,  
MARTIN B. MADDEN,  
JOHN A. MOON,

*Managers on the part of the House.*

Mr. BLACK. Mr. Speaker, will the gentleman yield to me for a question?

Mr. STEENERSON. Yes.

Mr. BLACK. I did not catch the import of the statement as to the Senate amendment on fourth-class postmasters. Was the whole Senate amendment agreed to?

Mr. STEENERSON. No; but we have graded it a little differently. The working out of the Senate amendment resulted in having some increased and some decreased, but we have graded it another step so that the result is now that every fourth-class postmaster all along the line is increased over his present compensation, which includes the so-called bonus.

Mr. BLACK. By asking the gentleman two or three questions I can ascertain what the conference report is. Take the Senate amendment which provides for 145 per cent where the cancellation does not exceed \$75 per quarter.

Mr. STEENERSON. That is agreed to.

Mr. BLACK. That is agreed to. Now, it provides for 125 per cent where the cancellation does not exceed \$100?

Mr. STEENERSON. Yes.

Mr. BLACK. What change is made in that?

Mr. BLANTON. It is made 115 per cent.

Mr. STEENERSON. I think we graded it at 115 per cent.

Mr. BLACK. That would be a reduction from the Senate amendment?

Mr. STEENERSON. Well, that is only on a limited number, because we have made a new grade. I would have to read the report—

Mr. BLACK. Now, will the gentleman answer this question: As to offices where the cancellation is \$250 a quarter or more, what percentage is agreed to by the conferees?

Mr. STEENERSON. Well, we had 82½ per cent.

Mr. BLACK. Under the Senate amendment?

Mr. STEENERSON. Yes; I think ours is 75 per cent.

Mr. BLACK. If it is 75 per cent that would work a very material decrease. Mr. Speaker, I ask that the conference report be read, because—

Mr. STEENERSON. Let the conference report be reported.

Mr. BLACK. I understand how difficult it is to keep these matters in mind.

Mr. STEENERSON. I can not keep them in mind, because this was done at the last moment.

Mr. BLANTON. How long is this conference report?

Mr. STEENERSON. It is short.

The SPEAKER. Without objection, the Speaker will read the conference report.

There was no objection.

The conference report was read.

Mr. STEENERSON. The substance of the provisions as modified are:

Amendment No. 1 was agreed to by the House. This raised the amount from 140 to 145, in line 11, page 4, so that they are allowed 145 per cent on from \$75 or less.

Amendment No. 2, when amended, will read as follows:

When the amount exceeds \$75 for any one quarter and does not exceed \$100, the postmaster shall be allowed 120 per cent on the amount.

Amendment No. 3, when amended, will read as follows:

When the amount exceeds \$100 for any one quarter the postmaster shall be allowed—on the first \$100, 115 per cent; on the next \$100 or less, 75 per cent; and on the balance, 60 per cent.

Mr. ROUSE. Will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. ROUSE. I would like to know what disposition was made of the Senate amendment providing for automatic promotion?

Mr. STEENERSON. That is agreed to.

Mr. ROUSE. Well, I would like to ask another question. The bill we passed the other day would prevent the Post Office Department from appointing a regular clerk to the position of a post-office inspector. Is there any change made in that provision?

Mr. STEENERSON. No. Mr. Speaker, I move the adoption of the report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

#### RURAL POST ROADS.

Mr. SELLS. Mr. Speaker—

The SPEAKER. The gentleman from Tennessee.

Mr. NEELY. Mr. Speaker, I ask unanimous consent to proceed for 15 minutes.

The SPEAKER. The Chair had recognized the gentleman from Tennessee.

Mr. SELLS. Mr. Speaker, I call up the bill H. R. 13742, with a committee amendment, and I ask that it may be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Tennessee calls up for present consideration the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13742) to amend sections 3 and 6 of the act of July 11, 1916, entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," as amended by sections 5 and 6 of the act of February 28, 1919, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes."

Be it enacted, etc., That section 3 of the act of July 11, 1916, as amended by section 6 of the act of February 28, 1919, is further amended to provide that so much of the appropriations made by said acts apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the close of the third fiscal year succeeding the close of the fiscal year for which such apportionment was made.

SEC. 2. That section 6 of the act of July 11, 1916, as amended by section 5 of the act of February 28, 1919, be further amended so that the limitation of payments, not to exceed \$20,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to \$30,000 per mile.

The committee amendment was read, as follows:

On page 2, lines 4 to 10, strike out all of section 2.

The SPEAKER. Is there objection?

Mr. BLANTON. I object, Mr. Speaker.

Mr. SELLS. Mr. Speaker, I move to suspend the rules and pass the bill.

The SPEAKER. The gentleman from Tennessee moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk began the reading of the bill.

Mr. BLANTON. Mr. Speaker, the reason I objected is that I did not know this had passed the Senate, and I thought it had no chance whatever to pass; but I understand that this bill has passed the Senate and I therefore withdraw the objection.

Mr. SELLS. Well, the bill has not passed the Senate.

Mr. BLANTON. The gentleman does not think it has any chance of passing the Senate and getting back here and being enrolled and signed by the President?

Mr. SELLS. I am sure it will.

Mr. BLANTON. I will withdraw the objection.

The SPEAKER. The motion to suspend the rules is withdrawn. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the committee amendment.

Mr. WALSH. Mr. Speaker, will the gentleman yield for a question?

Mr. SELLS. I will.

Mr. WALSH. Will the gentleman just make a brief statement as to the purpose of this bill? How many States are there it will affect and the amount of money involved?

Mr. SELLS. Mr. Speaker, this bill is reported from the Committee on Roads with the unanimous recommendation that the bill do pass. I call it up on the request of the chairman, the gentleman from New York [Mr. DUNN].

An examination of the bill and the report thereon will readily convince the Congress of its merit. It makes no new appropriation, but merely seeks to extend the period within which funds already allotted by Congress for road construction in conjunction with the various States may be utilized.

As gentlemen probably know, an appropriation of \$50,000,000 for the fiscal year ending June 30, 1919, and of \$75,000,000 each for the fiscal years ending June 30, 1920 and 1921, was made by the act of February 28, 1919. One of the requirements was that all funds thus made available should be expended within a period of one year following the expiration of the fiscal year for which the appropriation was made. A report from the Bureau of Roads under date of May 10, 1920, shows an unexpended balance to the credit of 22 States approximating

\$7,000,000, and which, under the law, must revert to the general road fund for redistribution unless this bill becomes law.

When we take into consideration the many difficulties which have confronted State and local highway commissioners, we find justification for what appears to have been negligence and inexcusable delay in taking advantage of Federal funds appropriated. First was the lack in many instances of the necessary authority under which the States might proceed, and which delayed their cooperation pending legislative action by the States themselves. High prices and scarcity of materials, inadequacy of transportation, a dearth of labor, difficulty of securing State and county appropriations—all have been contributing factors to this delay, and constitute a very cogent reason why a portion of the Federal funds have not as yet been expended.

Mr. SIMS. I would like two or three minutes, Mr. Speaker.

Mr. SELLS. I yield three minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. I do not know that I will use that much time.

Mr. Speaker, this bill as amended is exactly like the one that I introduced for the same purpose. I made an investigation at the Public Roads Bureau before introducing it and found that, in order that there may be no loss to any State on account of conditions now prevailing and which have prevailed during the present fiscal year on account of the high cost of labor and material, it is absolute justice to such States that this bill be passed. This bill is the same as the one I introduced, except the bill I introduced did not have the section that was in this bill numbered section 2, which has been stricken out by a committee amendment to this bill. I hope there will be no objection to the present consideration. I know the bill ought to pass immediately so as to prevent any possible lapse of any allotment by the Government to any State that may be unable to cover its apportionment in full by the 30th of June, the last day of this fiscal year.

Mr. SELLS. Mr. Speaker, I yield one minute to the gentleman from Kentucky [Mr. ROBSON].

Mr. ROBSON of Kentucky. Mr. Speaker, I will not take the time of the House on this measure, but I wish to ask unanimous consent to extend my remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SELLS. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The question being on the passage of the bill, the question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WALSH. I ask for a division, Mr. Speaker.

The House divided; and there were—ayes 82, noes 7.

So the bill was passed.

On motion of Mr. SELLS, a motion to reconsider the last vote was laid on the table.

#### RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess from 6 o'clock until 8.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess from 6 to 8 o'clock. Is there objection? [After a pause.] The Chair hears none.

#### ESCAPE OF GROVER CLEVELAND BERGDOLL.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution that I send to the Clerk's desk.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of the resolution which he sends to the Clerk's desk. The Clerk will report it.

The Clerk read as follows:

#### House resolution 574.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and—

Mr. BLANTON. Mr. Speaker, in order to save time, I object to the unanimous-consent request.

Mr. CAMPBELL of Kansas. Will the gentleman withhold his objection for a moment?

Mr. GARD. The gentleman can not object until the reading is finished.

Mr. BLANTON. Objection to unanimous consent is in order at any time.

The SPEAKER. The Chair thinks so.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

Mr. CAMPBELL of Kansas, from the Committee on Rules, submits the following report:

The Committee on Rules, to which was referred House resolution 574, submits a privileged report on said resolution, with the recommendation that it be adopted:

#### House resolution 574.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and Whereas charges are made, and there is reason to believe, that a plot and conspiracy existed among and between divers and sundry persons unknown to consummate the escape of the said Bergdoll from confinement under his said sentence: Therefore be it—

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] It is clear that there is no quorum present.

Mr. WALSH. Mr. Speaker, I move a call of the House.

The SPEAKER. The House has already voted to recess at 6 o'clock. The Chair questions whether it is worth while to have a call of the House and then have a recess.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent to make a statement for one minute.

Mr. WALSH. The Speaker has declared that there is no quorum present.

Mr. BLANTON. Mr. Speaker, I withdraw the point of no quorum if the gentleman from Kansas wishes to make a statement.

The SPEAKER. The Chair has announced that there is no quorum present.

Mr. WINGO. Was it the Speaker's idea that we would not be able to complete the call of the House before 6?

The SPEAKER. Yes.

Mr. WINGO. Would it be in order to ask that the recess become effective now, and name the hour?

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 8 o'clock.

Mr. WINGO. Would it not be better to move a recess? Or perhaps it would amount to the same thing. Would the Chair give an opinion on that?

The SPEAKER. The Chair is in doubt if that could be done.

Mr. MONDELL. I submitted a request for unanimous consent.

The SPEAKER. The Chair is in doubt whether that can be done.

Mr. MONDELL. I think it can be done by unanimous consent—that the House can stand in recess in the absence of a quorum.

Mr. CLARK of Missouri. Mr. Speaker, has the Chair announced that there is no quorum present?

The SPEAKER. The Chair so declared.

Mr. CLARK of Missouri. We could settle this recess question by all going out and coming back at 8 o'clock. We could settle it by ourselves.

The SPEAKER. The Chair is of opinion that less than a quorum can not take a recess.

Mr. MONDELL. Then I move a call of the House.

Mr. WINGO. Let me suggest this: The House, by a majority, by instruction, has already fixed a recess from 6 o'clock until 8. A call of the House might get us into an embarrassing situation, and when we come back at 8 o'clock the presumption will be that there is a quorum present then. Could not a plan be devised to take up the 30 minutes lacking between now and 6 o'clock under the order, and then when we resume at 8 o'clock the presumption will be that there is a quorum? That would obviate an embarrassing situation.

The SPEAKER. The Chair is of the opinion that no action can be taken until 6 o'clock, and then the Chair could decide that a recess be taken.

Mr. IGOE. Is there any objection to having the clock moved up to 6 o'clock?

Mr. WALSH. In the absence of a call of the House, in the absence of any other business taking place, is there anything to prevent Members from considering that a recess has now begun and leaving the Hall?



The SPEAKER. The Chair thinks not. That is what the Chair would suggest.

Mr. WINGO. Of course, that may necessitate the Speaker staying here until 6 o'clock.

The SPEAKER. The Chair is willing to stay here.

Mr. KAHN. Mr. Speaker, I ask unanimous consent—

The SPEAKER. It can not be done.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Is not the parliamentary situation now that we have already agreed to recess at 6 o'clock and stand in recess until 8 o'clock?

The SPEAKER. It is.

Mr. GARD. We can do that, can we not?

The SPEAKER. We can.

Mr. GARD. Therefore I think the suggestion of former Speaker CLARK is a very excellent one, that we consider that it is now 6 o'clock, and that we do as moving pictures do—fade away at this time.

The SPEAKER. The Chair also accorded with that. The Chair will stay here until 6 o'clock. Other Members need not.

Mr. MAPES. Would it be necessary to have a quorum here at 8 o'clock, with the point of no quorum pending?

The SPEAKER. That would be the first impression of the Chair.

At 6 o'clock p. m.,

The SPEAKER. The House will stand in recess until 8 o'clock p. m.

Accordingly the House stood in recess until 8 o'clock p. m.

#### EVENING SESSION.

The recess having expired, at 8 o'clock p. m. the House resumed its session.

#### NO QUORUM—CALL OF THE HOUSE.

The SPEAKER. When the House recessed the point of no quorum had been made, and it was announced that no quorum was present. The Chair thinks that after recess we are in the same position as when we recessed.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Wyoming moves a call of the House.

Mr. BLANTON. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Where the point of no quorum is withdrawn and a recess occurs, is it not to be assumed—

The SPEAKER. The gentleman did not withdraw the point. The Chair took a great deal of time in counting, and—

Mr. BLANTON. And when we reassemble after the recess is it not assumed that there is a quorum present?

The SPEAKER. The Chair thinks not.

Mr. BLANTON. I think a recess is the same as an adjournment.

The SPEAKER. The Chair thinks a recess is not the same as an adjournment. We resume where we left off at the time of recess. Without objection, a call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Drane	Hastings	McKinley, Ill.
Anthony	Drewry	Haugen	Madden
Bacharach	Dunn	Hayden	Mann, Ill.
Baer	Dupré	Heflin	Mansfield
Bell	Dyer	Hernandez	Mason
Benham	Eagle	Hersman	Mays
Blackmon	Elliott	Hill	Merritt
Boies	Ellsworth	Hoey	Milligan
Booher	Elston	Houghton	Mooney
Brinson	Evans, Nev.	Hulings	Mudd
Britten	Fairfield	Husted	Nelson, Wis.
Brooks, Ill.	Ferris	Hutchinson	Newton, Minn.
Butler	Fess	Ireland	Nicholls
Caldwell	Flood	Jacoway	Paige
Cantrill	Frear	Jeffers	Parker
Caraway	Freeman	Johnson, Miss.	Peters
Carss	Fuller, Ill.	Keller	Porter
Carter	Fuller, Mass.	Kelley, Mich.	Pou
Clark, Fla.	Gandy	Kennedy, R. I.	Purnell
Coady	Garner	Kettner	Rainey, Ala.
Cole	Godwin, N. C.	Kless	Ramseyer
Cooper	Goldfogle	Kitchin	Randall, Calif.
Copley	Goodall	Lampert	Randall, Wis.
Cestello	Gould	Langley	Reavis
Cramton	Graham, Ill.	Layton	Rhodes
Dale	Graham, Pa.	Lazaro	Riddick, Mont.
Dempsey	Griest	Lee, Ga.	Rodenberg
Dent	Hamill	Longworth	Rucker
Dewalt	Hamilton	McArthur	Sanders, La.
Dickinson, Mo.	Hardy, Tex.	McClintic	Sanders, N. Y.
Dowell	Harrel	McCulloch	Scully

Sears  
Sherwood  
Sinclair  
Slomp  
Small  
Smith, Ill.  
Smith, Mich.  
Smithwick  
Snell

Snyder  
Stedman  
Steele  
Stephens, Miss.  
Stephens, Ohio  
Stiness  
Stoll  
Strong, Pa.  
Sullivan

Sweet  
Taylor, Tenn.  
Tillman  
Tinkham  
Treadway  
Vare  
Vestal  
Volgt  
Volstead

Ward  
Weaver  
Webster  
Williams  
Wilson, Ill.  
Wise  
Woodyard  
Young, N. Dak.

The SPEAKER. Two hundred and seventy Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

Mr. CAMPBELL of Kansas. Mr. Speaker, just before the recess I submitted a resolution to investigate the escape from a military prison of one Bergdoll. The circumstances surrounding the escape point to a very nasty scandal.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

Mr. CAMPBELL of Kansas. There being objection, Mr. Speaker, to the consideration of the resolution, I withdraw the resolution.

Mr. SABATH. And the gentleman should withdraw the statement.

Mr. CAMPBELL of Kansas. I shall not withdraw the statement.

Mr. SABATH. It was not in order.

Mr. BLANTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Should not the House at least expect from the chairman of the Committee on Rules, who virtually makes the rules of the House, that he himself should comply with those rules and not proceed out of order?

The SPEAKER. The gentleman from Texas should comply with the rules of the House.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania.

The message also announced that the Senate had agreed to the amendments of the House to the concurrent resolution of the Senate (S. Con. Res. 26) requesting the Speaker of the House of Representatives to cancel his signature to S. 1005 and S. 1222, and directing the Secretary to reenroll, etc.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes.

The message also announced that the Senate has passed with amendment the joint resolution (H. J. Res. 373) declaring that certain acts of Congress, joint resolutions, and proclamations shall be construed as if the war had ended and the present or existing emergency expired; in which the concurrence of the House of Representatives was requested.

#### EMPLOYMENT OF NAVAL OFFICERS BY SOUTH AMERICAN REPUBLICS.

The SPEAKER. Without objection, the bill (H. R. 14286) to authorize officers of the naval service to accept offices with compensation and emoluments from Governments of the Republics of South America, will be laid on the table, a similar Senate bill having been passed.

There was no objection.

#### THE MERCHANT MARINE—CONFERENCE REPORT.

Mr. GREENE of Massachusetts. Mr. Speaker, I submit a conference report on the bill (H. R. 10378), the merchant marine. I ask unanimous consent to dispense with the reading of the report, it having been once read, and read the amendment, which has been agreed to by the Senate.

The SPEAKER. Is there objection?

Mr. McKEOWN. Reserving the right to object, I want to ask the gentleman, if no objection is made to his request, if he can tell us how much time will be used in debate?

Mr. EDMONDS. The rule calls for one hour.

Mr. McKEOWN. I know; but will the gentleman use the one hour?

Mr. GREENE of Massachusetts. I was not expecting to.

Mr. McKEOWN. Will the gentleman yield some time to Members on this side?

Mr. GREENE of Massachusetts. I will yield to such Members as I can.

Mr. BANKHEAD. Will the gentleman yield me 20 minutes that I may yield to others?

Mr. GREENE of Massachusetts. I will yield to the gentleman from Alabama 20 minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to dispense with the reading of the report except the matter that is new, and that the statement be read.

Mr. GREENE of Massachusetts. And that only the new matter be read in the statement.

The SPEAKER. And that only that portion of the statement be read which refers to new matter. Is there objection?

Mr. GARD. Reserving the right to object, what is the gentleman's request—to read the new part of the report and the new part of the statement?

The SPEAKER. To read the new part of the report and the new part of the statement. Is there objection?

There was no objection.

The Clerk read the portions of the conference report and the statement as agreed to.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 35, 44, 47, 49, 122, 125, 138, and 149.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 43, 45, 46, 50, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 80, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 98, 99, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 143, and 148, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "in this act"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Sec. 3. (a) That section 3 of the 'shipping act, 1916' is amended to read as follows:

"Sec. 3. That a board is hereby created to be known as the United States Shipping Board and hereinafter referred to as the board. The board shall be composed of seven commissioners, to be appointed by the President, by and with the advice and consent of the Senate; and the President shall designate the member to act as chairman of the board, and the board may elect one of its members as vice chairman. Such commissioners shall be appointed as soon as practicable after the enactment of this act and shall continue in office two for a term of one year, and the remaining five for terms of two, three, four, five, and six years, respectively, from the date of their appointment, the term of each to be designated by the President, but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the commissioner whom he succeeds.

"The commissioners shall be appointed with due regard to their fitness for the efficient discharge of the duties imposed on them by this act, and two shall be appointed from the States touching the Pacific Ocean, two from the States touching the Atlantic Ocean, one from the States touching the Gulf of Mexico, one from the States touching the Great Lakes, and one from the interior, but not more than one shall be appointed from the same State. Not more than four of the commissioners shall be appointed from the same political party. A vacancy in the board shall be filled in the same manner as the original appoint-

ments. No commissioner shall take any part in the consideration or decision of any claim or particular controversy in which he has a pecuniary interest.

"Each commissioner shall devote his time to the duties of his office, and shall not be in the employ of or hold any official relation to any common carrier or other person subject to this act, nor while holding such office acquire any stock or bonds thereof or become pecuniarily interested in any such carrier.

"The duties of the board may be so divided that under its supervision the directorship of various activities may be assigned to one or more commissioners. Any commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. A vacancy in the board shall not impair the right of the remaining members of the board to exercise all its powers. The board shall have an official seal, which shall be judicially noticed.

"The board may adopt rules and regulations in regard to its procedure and the conduct of its business. The board may employ within the limits of appropriations made therefor by Congress such attorneys as it finds necessary for proper legal service to the board in the conduct of its work, or for proper representation of the public interest in investigations made by it or proceedings pending before it whether at the board's own instance or upon complaint, or to appear for or represent the board in any case in court or other tribunal. The board shall have such other rights and perform such other duties not inconsistent with the merchant marine act, 1920, as are conferred by existing law upon the board in existence at the time this section as amended takes effect.

"The commissioners in office at the time this section as amended takes effect shall hold office until all the commissioners provided for in this section as amended are appointed and qualify."

"(b) The first sentence of section 4 of the 'shipping act, 1916,' is amended to read as follows:

"Sec. 4. That each member of the board shall receive a salary of \$12,000 per annum."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "consistent with good business methods and the objects and purposes to be attained by this act, at public or private competitive sale after appraisalment and due advertisement, to"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "existing freight rates and prospects of their maintenance"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "and any other facts or conditions that would influence a prudent, solvent business man in the sale of similar vessels or property which he is not forced to sell"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "not inconsistent with the provisions of section 5 (except that completion of the payment of the purchase price and interest shall not be deferred more than 10 years after the making of the contract of sale)"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "; but no such sale shall be made unless the board, after diligent effort, has been unable to sell, in accordance with the terms and conditions of section 5, such vessels to persons citizens of the United States, and has, upon an affirmative vote of not less than five of its members, spread upon the minutes of the board, determined to make such sale; and it shall make as a part of its records a full statement of its reasons for making such sale. Deferred payments of purchase price of vessels under this section shall bear interest at the rate of not less than 5½ per cent per annum, payable semiannually"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52,



and agree to the same with an amendment as follows: In lines 6 and 7 of the matter proposed by the Senate amendment strike out the following words: "where adequate terminal connections with rail carriers can and will be made or already exist." In line 17 of the matter proposed by the Senate amendment strike out the words "of the United States" and insert in lieu thereof the following: "referred to in section 4 of this act or otherwise acquired by the board." In line 30 of the matter proposed by the Senate amendment, after the word "authorized," insert the following: "notwithstanding the act entitled 'An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891." At the end of the matter proposed by the Senate amendment change the period to a colon and add the following: "And provided further, That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In line 8 of the matter proposed by the Senate amendment, after the word "world," insert the words "and domestic"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment after the word "board" insert a comma and the following: "in cooperation with the Secretary of War"; in line 6 of the matter proposed by the Senate amendment after the word "rail" insert a comma and the word "water"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In line 4 of the matter proposed by the Senate amendment strike out "\$50,000,000" and insert in lieu thereof "\$25,000,000"; in line 4 of the Senate amendment after "construction" insert "loan"; in line 5 of the Senate amendment strike out "in the construction, or" in line 21 of the matter proposed by the Senate amendment strike out everything after the word "built" down to and including the word "semiannually" at the end of the matter proposed by such Senate amendment; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "may be reconditioned and kept in suitable repair and until"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "pursuant to the policy and purposes declared in sections 1 and 5 of this act; and the United States Shipping Board Emergency Fleet Corporation shall continue in existence and have authority to operate vessels, unless otherwise directed by law, until all vessels are sold in accordance with the provisions of this act, the provision"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "10 hereof, and for the construction loan fund authorized in section 11 hereof"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert: "and construction loan funds"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 17. That the board is authorized and directed to take over on January 1, 1921, the possession and control of, and to maintain and develop, all docks, piers, warehouses, wharves and terminal equipment and facilities, including all leasehold easements, rights of way, riparian rights and other rights, estates and interests therein or appurtenant thereto, acquired by the President by or under the act entitled 'An act making

appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes,' approved March 28, 1918.

"The possession and control of such other docks, piers, warehouses, wharves and terminal equipment and facilities or parts thereof, including all leasehold easements, rights of way, riparian rights and other rights, estates or interests therein or appurtenant thereto which were acquired by the War Department or the Navy Department for military or naval purposes during the war emergency may be transferred by the President to the board whenever the President deems such transfer to be for the best interests of the United States.

"The President may at any time he deems it necessary, by order setting out the need therefor and fixing the period of such need, permit or transfer the possession and control of any part of the property taken over by or transferred to the board under this section to the War Department or the Navy Department for their needs, and when in the opinion of the President such need therefor ceases the possession and control of such property shall revert to the board. None of such property shall be sold except as may be hereafter provided by law."

And the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In line 12 of the matter proposed by the Senate amendment, after the word "chartered," at the end of the line preceding and the beginning of said line 12, insert the words "by the board."

In lieu of the last two paragraphs of the matter proposed by the Senate amendment insert the following:

"It shall be unlawful to sell, transfer or mortgage, or, except under regulations prescribed by the board, to charter, any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States, or to put the same under a foreign registry or flag, without first obtaining the board's approval.

"Any vessel chartered, sold, transferred or mortgaged to a person not a citizen of the United States or placed under a foreign registry or flag, or operated, in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than \$5,000, or to imprisonment for not more than five years, or both."

And the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 19. (1) The board is authorized and directed in aid of the accomplishment of the purposes of this act (a) to make all necessary rules and regulations to carry out the provisions of this act; (b) to make rules and regulations affecting shipping in the foreign trade not in conflict with law in order to adjust or meet general or special conditions unfavorable to shipping in the foreign trade, whether in any particular trade or upon any particular route or in commerce generally and which arise out of or result from foreign laws, rules, or regulations or from competitive methods or practices employed by owners, operators, agents, or masters of vessels of a foreign country; and (c) to request the head of any department, board, bureau, or agency of the Government to suspend, modify, or annul rules or regulations which have been established by such department, board, bureau, or agency, or to make new rules or regulations affecting shipping in the foreign trade other than such rules or regulations relating to the Public Health Service, the Consular Service, and the Steamboat-Inspection Service.

"(2) No rule or regulation shall hereafter be established by any department, board, bureau, or agency of the Government which affect shipping in the foreign trade, except rules or regulations affecting the Public Health Service, the Consular Service, and the Steamboat-Inspection Service, until such rule or regulation has been submitted to the board for its approval and final action has been taken thereon by the board or the President.

"(3) Whenever the head of any department, board, bureau, or agency of the Government refuses to suspend, modify, or annul any rule or regulation, or make a new rule or regulation upon request of the board, as provided in subdivision (c) of paragraph (1) of this section, or objects to the decision of the board in respect to the approval of any rule or regulation, as provided in paragraph (2) of this section, either the board or the head of the department, board, bureau, or agency which has established or is attempting to establish the rule or regula-

tion in question may submit the facts to the President, who is hereby authorized to establish or suspend, modify, or annul such rule or regulation.

"(4) No rule or regulation shall be established which in any manner gives vessels owned by the United States any preference or favor over those vessels documented under the laws of the United States and owned by persons who are citizens of the United States."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"Sec. 20. (1) That section 14 of the shipping act, 1916, as amended, is amended to read as follows:

"Sec. 14. That no common carrier by water shall, directly or indirectly, in respect to the transportation by water of passengers or property between a port of a State, Territory, District, or possession of the United States and any other such port or a port of a foreign country—

"First. Pay, or allow, or enter into any combination, agreement, or understanding, express or implied, to pay or allow, a deferred rebate to any shipper. The term "deferred rebate" in this act means a return of any portion of the freight money by a carrier to any shipper as a consideration for the giving of all or any portion of his shipments to the same or any other carrier, or for any other purpose, the payment of which is deferred beyond the completion of the service for which it is paid, and is made only if, during both the period for which computed and the period of deferment, the shipper has complied with the terms of the rebate agreement or arrangement.

"Second. Use a fighting ship either separately or in conjunction with any other carrier, through agreement or otherwise. The term "fighting ship" in this act means a vessel used in a particular trade by a carrier or group of carriers for the purpose of excluding, preventing or reducing competition by driving another carrier out of said trade.

"Third. Retaliate against any shipper by refusing, or threatening to refuse, space accommodations when such are available, or resort to other discriminating or unfair methods, because such shipper has patronized any other carrier or has filed a complaint charging unfair treatment, or for any other reason.

"Fourth. Make any unfair or unjustly discriminatory contract with any shipper based on the volume of freight offered, or unfairly treat or unjustly discriminate against any shipper in the matter of (a) cargo space accommodations or other facilities, due regard being had for the proper loading of the vessel and the available tonnage; (b) the loading and landing of freight in proper condition; or (c) the adjustment and settlement of claims.

"Any carrier who violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than \$25,000 for each offense."

"(2) The shipping act, 1916, as amended, is amended by inserting after section 14 a new section to read as follows:

"Sec. 14a. The board upon its own initiative may, or upon complaint shall, after due notice to all parties in interest and hearing, determine whether any person, not a citizen of the United States and engaged in transportation by water of passengers or property—

"(1) Has violated any provision of section 14, or

"(2) Is a party to any combination, agreement, or understanding, express or implied, that involves in respect to transportation of passengers or property between foreign ports, deferred rebates or any other unfair practice designated in section 14, and that excludes from admission upon equal terms with all other parties thereto, a common carrier by water which is a citizen of the United States and which has applied for such admission.

"If the board determines that any such person has violated any such provision or is a party to any such combination, agreement, or understanding, the board shall thereupon certify such fact to the Secretary of Commerce. The Secretary shall thereafter refuse such person the right of entry for any ship owned or operated by him or by any carrier directly or indirectly controlled by him, into any port of the United States, or any Territory, District, or possession thereof, until the board certifies that the violation has ceased or such combination, agreement, or understanding has been terminated."

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 1 and 2 of the matter proposed by the Senate amendment strike out "one year from the enactment of this act" and insert

in lieu "February 1, 1922"; in line 11 of the matter proposed by the Senate amendment strike out the words "within a year" and insert the words "by February 1, 1922"; at the end of the matter proposed by the Senate amendment change the period to a colon and insert the following: "And provided further, That the foregoing provisions of this section shall not take effect with reference to the Philippine Islands until the President of the United States after a full investigation of the local needs and conditions shall, by proclamation, declare that an adequate shipping service has been established as herein provided and fix a date for the going into effect of the same"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 23" and insert in lieu "Sec. 21"; and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In line 10 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 13 of the matter proposed by the Senate amendment strike out the word "wholly"; in line 15 of the matter proposed by the Senate amendment strike out the words "wholly in American" and insert in lieu thereof the words "in such," and after the word "ownership," in said line 15, insert the following: "subject to the rules and regulations of such trade: Provided, That the board is authorized to issue permits for the carrying of passengers in foreign ships if it deems it necessary so to do, operating between the Territory of Hawaii and the Pacific coast up to February 1, 1922"; and in line 1 of the matter proposed by the Senate amendment strike out "Sec. 24" and insert in lieu "Sec. 22"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: Strike out the last paragraph of the Senate amendment; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Nothing herein shall be affected by the act entitled 'An act to provide for ocean-mail service between the United States and foreign ports, and to promote commerce,' approved March 3, 1891"; in line 1 of the matter proposed by the Senate amendment strike out "Sec. 26" and insert in lieu "Sec. 24"; and the Senate agree to the same.

Amendment numbered 130: That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: Beginning in line 6 of the matter proposed by the Senate amendment strike out everything after the word "shipping," down to and including "citizens," in line 9 of the matter proposed by the Senate amendment; in lines 10 and 11 of the matter proposed by the Senate amendment strike out the words "or such approved organization"; and in line 1 of the Senate amendment change the section number from "27" to "25"; and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In line 2 of the matter proposed by the Senate amendment strike out the word "twelve" and insert in lieu thereof the word "sixteen."

Between the first and second paragraphs of the matter proposed by the Senate amendment insert a separate paragraph, as follows:

"The privilege bestowed by this section on vessels of the United States shall be extended in so far as the foreign trade is concerned to the cargo vessels of any nation which allows the like privilege to cargo vessels of the United States in trades not restricted to vessels under its own flag."

In line 1 of the matter proposed by the Senate amendment strike out "Sec. 28" and insert in lieu thereof "Sec. 26."

And the Senate agree to the same.

Amendment numbered 132: That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment as follows: In line 8 of the matter proposed by the Senate amendment strike out the word "wholly," and in line 11 of the matter proposed by the Senate amendment strike out the figures "24" and insert in lieu thereof the figures "22." At the end of the matter proposed by the Senate amendment insert the following: "Provided, That this section shall not apply to merchandise transported between points within the continental United States, excluding Alaska, over through routes heretofore or hereafter



recognized by the Interstate Commerce Commission for which routes rate tariffs have been or shall hereafter be filed with said commission when such routes are in part over Canadian rail lines and their own or other connecting water facilities: *Provided further*, That this section shall not become effective upon the Yukon River until the Alaska Railroad shall be completed and the Shipping Board shall find that proper facilities will be furnished for transportation by persons citizens of the United States for properly handling the traffic." In line 1 of the matter proposed by the Senate amendment strike out "Sec. 29" and insert in lieu "Sec. 27"; and the Senate agree to the same.

Amendment numbered 133: That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment as follows: In lines 17 and 18 of the matter proposed by the Senate amendment strike out "and owned by persons who are citizens of the United States"; in line 22 of the matter proposed by the Senate amendment strike out the words "and owned"; in line 30 of the matter proposed by the Senate amendment strike out the word "shall" and insert in lieu thereof the word "may"; in line 1 of the proposed amendment strike out the numerals "30" and insert in lieu thereof the numerals "28"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 29. (a) That whenever used in this section—

"(1) The term 'association' means any association, exchange, pool, combination, or other arrangement for concerted action; and

"(2) The term 'marine insurance companies' means any persons, companies, or associations, authorized to write marine insurance or reinsurance under the laws of the United States or of a State, Territory, District, or possession thereof.

"(b) Nothing contained in the 'antitrust laws' as designated in section 1 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, shall be construed as declaring illegal an association entered into by marine insurance companies for the following purposes: To transact a marine insurance and reinsurance business in the United States and in foreign countries and to reinsure or otherwise apportion among its membership the risks undertaken by such association or any of the component members."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 30. SUBSEC. A. That this section may be cited as the 'ship mortgage act, 1920.'

#### "DEFINITIONS.

"SUBSEC. B. When used in this section—

"(1) The term 'document' includes registry and enrollment and license;

"(2) The term 'documented' means registered or enrolled or licensed under the laws of the United States, whether permanently or temporarily;

"(3) The term 'port of documentation' means the port at which the vessel is documented, in accordance with law;

"(4) The term 'vessel of the United States' means any vessel documented under the laws of the United States and such vessel shall be held to continue to be so documented until its documents are surrendered with the approval of the board; and

"(5) The term 'mortgagee,' in the case of a mortgage involving a trust deed and a bond issue thereunder, means the trustee designated in such deed.

"RECORDING OF SALES, CONVEYANCES, AND MORTGAGES OF VESSELS OF THE UNITED STATES.

"SUBSEC. C. (a) No sale, conveyance, or mortgage which, at the time such sale, conveyance, or mortgage is made, includes a vessel of the United States, or any portion thereof, as the whole or any part of the property sold, conveyed, or mortgaged shall be valid, in respect to such vessel, against any person other than the grantor or mortgagor, his heir or devisee, and a person having actual notice thereof, until such bill of sale, conveyance, or mortgage is recorded in the office of the collector of customs of the port of documentation of such vessel, as provided in subdivision (b) of this subsection.

"(b) Such collector of customs shall record bills of sale, conveyances, and mortgages, delivered to him, in the order of

their reception, in books to be kept for that purpose and indexed to show—

"(1) The name of the vessel;

"(2) The names of the parties to the sale, conveyance, or mortgage;

"(3) The time and date of reception of the instrument;

"(4) The interest in the vessel so sold, conveyed, or mortgaged; and

"(5) The amount and date of maturity of the mortgage.

"SUBSEC. D. (a) A valid mortgage which, at the time it is made includes the whole of any vessel of the United States of 200 gross tons and upward, shall in addition have, in respect to such vessel and as of the date of the compliance with all the provisions of this subdivision, the preferred status given by the provisions of subsection M, if—

"(1) The mortgage is indorsed upon the vessel's documents in accordance with the provisions of this section;

"(2) The mortgage is recorded as provided in subsection C, together with the time and date when the mortgage is so indorsed;

"(3) An affidavit is filed with the record of such mortgage to the effect that the mortgage is made in good faith and without any design to hinder, delay, or defraud any existing or future creditor of the mortgagor or any lienor of the mortgaged vessel;

"(4) The mortgage does not stipulate that the mortgagee waives the preferred status thereof; and

"(5) The mortgagee is a citizen of the United States.

"(b) Any mortgage which complies in respect to any vessel with the conditions enumerated in this subsection is hereafter in this section called a 'preferred mortgage' as to such vessel.

"(c) There shall be indorsed upon the documents of a vessel covered by a preferred mortgage—

"(1) The names of the mortgagor and mortgagee;

"(2) The time and date the indorsement is made;

"(3) The amount and date of maturity of the mortgage; and

"(4) Any amount required to be indorsed by the provisions of subdivision (e) or (f) of this subsection.

"(d) Such indorsement shall be made (1) by the collector of customs of the port of documentation of the mortgaged vessel, or (2) by the collector of customs of any port in which the vessel is found, if such collector is directed to make the indorsement by the collector of customs of the port of documentation; and no clearance shall be issued to the vessel until such indorsement is made. The collector of customs of the port of documentation shall give such direction by wire or letter at the request of the mortgagee and upon the tender of the cost of communication of such direction. Whenever any new document is issued for the vessel, such indorsement shall be transferred to and indorsed upon the new document by the collector of customs.

"(e) A mortgage which includes property other than a vessel shall not be held a preferred mortgage unless the mortgage provides for the separate discharge of such property by the payment of a specified portion of the mortgage indebtedness. If a preferred mortgage so provides for the separate discharge, the amount of the portion of such payment shall be indorsed upon the documents of the vessel.

"(f) If a preferred mortgage includes more than one vessel and provides for the separate discharge of each vessel by the payment of a portion of the mortgage indebtedness, the amount of such portion of such payment shall be indorsed upon the documents of the vessel. In case such mortgage does not provide for the separate discharge of a vessel and the vessel is to be sold upon the order of a district court of the United States in a suit in rem in admiralty, the court shall determine the portion of the mortgage indebtedness increased by 20 per cent (1) which, in the opinion of the court, the approximate value of the vessel bears to the approximate value of all the vessels covered by the mortgage, and (2) upon the payment of which the vessel shall be discharged from the mortgage.

"SUBSEC. E. The collector of customs upon the recording of a preferred mortgage shall deliver two certified copies thereof to the mortgagor who shall place, and use due diligence to retain, one copy on board the mortgaged vessel and cause such copy and the documents of the vessel to be exhibited by the master to any person having business with the vessel, which may give rise to a maritime lien upon the vessel or to the sale, conveyance, or mortgage thereof. The master of the vessel shall, upon the request of any such person, exhibit to him the documents of the vessel and the copy of any preferred mortgage of the vessel placed on board thereof.

"SUBSEC. F. The mortgagor (1) shall, upon request of the mortgagee, disclose in writing to him prior to the execution of any preferred mortgage, the existence of any maritime lien,

prior mortgage, or other obligation or liability upon the vessel to be mortgaged, that is known to the mortgagor, and (2), without the consent of the mortgagee, shall not incur, after the execution of such mortgage and before the mortgagee has had a reasonable time in which to record the mortgage and have indorsements in respect thereto made upon the documents of the vessel, any contractual obligation creating a lien upon the vessel other than a lien for wages of stevedores when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, or for salvage, including contract salvage, in respect to the vessel.

"SUBSEC. G. (a) The collector of customs of the port of documentation shall, upon the request of any person, record notice of his claim of a lien upon a vessel covered by a preferred mortgage, together with the nature, date of creation, and amount of the lien, and the name and address of the person. Any person who has caused notice of his claim of lien to be so recorded shall, upon a discharge in whole or in part of the indebtedness, forthwith file with the collector of customs a certificate of such discharge. The collector of customs shall thereupon record the certificate.

"(b) The mortgagor, upon a discharge in whole or in part of the mortgage indebtedness, shall forthwith file with the collector of customs for the port of documentation of the vessel, a certificate of such discharge. Such collector of customs shall thereupon record the certificate. In case of a vessel covered by a preferred mortgage, the collector of customs at the port of documentation shall (1) indorse upon the documents of the vessel, or direct the collector of customs at any port in which the vessel is found, to so indorse, the fact of such discharge, and (2) shall deny clearance to the vessel until such indorsement is made.

"SUBSEC. H. (a) No bill of sale, conveyance, or mortgage shall be recorded unless it states the interest of the grantor or mortgagor in the vessel, and the interest so sold, conveyed, or mortgaged.

"(b) No bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge thereof, shall be recorded unless previously acknowledged before a notary public or other officer authorized by a law of the United States, or of a State, Territory, District, or possession thereof, to take acknowledgment of deeds.

"(c) In case of a change in the port of documentation of a vessel of the United States, no bill of sale, conveyance, or mortgage shall be recorded at the new port of documentation unless there is furnished to the collector of customs of such port, together with the copy of the bill of sale, conveyance, or mortgage to be recorded, a certified copy of the record of the vessel at the former port of documentation furnished by the collector of such port. The collector of customs at the new port of documentation is authorized and directed to record such certified copy.

"(d) A preferred mortgage may bear such rate of interest as is agreed by the parties thereto.

"SUBSEC. I. Each collector of customs shall permit records made under the provisions of this section to be inspected during office hours, under such reasonable regulations as the collector may establish. Upon the request of any person the collector of customs shall furnish him from the records of the collector's office (1) a certificate setting forth the names of the owners of any vessel, the interest held by each owner, and the material facts as to any bill of sale or conveyance of, any mortgage covering, or any lien or other incumbrance upon, a specified vessel, (2) a certified copy of any bill of sale, conveyance, mortgage, notice of claim of lien, or certificate of discharge in respect to such vessel, or (3) a certified copy as required by subdivision (c) of subsection H. The collector of customs shall collect a fee for any bill of sale, conveyance, or mortgage recorded, or any certificate or certified copy furnished by him, in the amount of 20 cents a folio with a minimum charge of \$1. All such fees shall be covered into the Treasury of the United States as miscellaneous receipts.

#### "PENALTIES.

"SUBSEC. J. (a) If the master of the vessel willfully fails to exhibit the documents of the vessel or the copy of any preferred mortgage thereof, as required by subsection E, the board of local inspectors of vessels having jurisdiction of the license of the master, may suspend or cancel such license, subject to the provisions of 'An act to provide for appeals from decision of boards of local inspectors of vessels and for other purposes,' approved June 10, 1918.

"(b) A mortgagor who, with intent to defraud, violates any provision of subsection F, and if the mortgagor is a corporation or association, the president or other principal executive

officer of the corporation or association, shall upon conviction thereof be held guilty of a misdemeanor and shall be fined not more than \$1,000 or imprisoned not more than two years, or both. The mortgaged indebtedness shall thereupon become immediately due and payable at the election of the mortgagee.

"(c) If any person enters into any contract secured by, or upon the credit of, a vessel of the United States covered by a preferred mortgage, and suffers pecuniary loss by reason of the failure of the collector of customs, or any officer, employee, or agent thereof, properly to perform any duty required of the collector under the provisions of this section, the collector of customs shall be liable to such person for damages in the amount of such loss. If any such person is caused any such loss by reason of the failure of the mortgagor, or master of the mortgaged vessel, or any officer, employee, or agent thereof, to comply with any provision of subsection E or F or to file an affidavit as required by subdivision (a) of subsection D, correct in each particular thereof, the mortgagor shall be liable to such person for damages in the amount of such loss. The district courts of the United States are given jurisdiction (but not to the exclusion of the courts of the several States, Territories, Districts, or possessions) of suits for the recovery of such damages, irrespective of the amount involved in the suit or the citizenship of the parties thereto. Such suit shall be begun by personal service upon the defendant within the limits of the district. Upon judgment for the plaintiff in any such suit, the court shall include in the judgment an additional amount for costs of the action and a reasonable counsel's fee, to be fixed by the court.

#### "FORECLOSURE OF PREFERRED MORTGAGES.

"SUBSEC. K. A preferred mortgage shall constitute a lien upon the mortgaged vessel in the amount of the outstanding mortgage indebtedness secured by such vessel. Upon the default of any term or condition of the mortgage, such lien may be enforced by the mortgagee by suit in rem in admiralty. Original jurisdiction of all such suits is granted to the district courts of the United States exclusively. In addition to any notice by publication, actual notice of the commencement of any such suit shall be given by the libellant, in such manner as the court shall direct, to (1) the master, other ranking officer, or caretaker of the vessel, and (2) any person who has recorded a notice of claim of an undischarged lien upon the vessel, as provided in subsection G, unless after search by the libellant satisfactory to the court, such mortgagor, master, other ranking officer, caretaker, or claimant is not found within the United States. Failure to give notice to any such person, as required by this subsection, shall not constitute a jurisdictional defect; but the libellant shall be liable to such person for damages in the amount of his interest in the vessel terminated by the suit. Suit in personam for the recovery of such damages may be brought in accordance with the provisions of subdivision (c) of section 10.

"SUBSEC. L. In any suit in rem in admiralty for the enforcement of the preferred mortgage lien, the court may appoint a receiver and, in its discretion, authorize the receiver to operate the mortgaged vessel. The marshal may be authorized and directed by the court to take possession of the mortgaged vessel notwithstanding the fact that the vessel is in the possession or under the control of any person claiming a possessory common-law lien.

"SUBSEC. M. (a) When used hereinafter in this section, the term 'preferred maritime lien' means (1) a lien arising prior in time to the recording and indorsement of a preferred mortgage in accordance with the provisions of this section; or (2) a lien for damages arising out of tort, for wages of a stevedore when employed directly by the owner, operator, master, ship's husband, or agent of the vessel, for wages of the crew of the vessel, for general average, and for salvage, including contract salvage.

"(b) Upon the sale of any mortgaged vessel by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a preferred mortgage lien thereon, all preexisting claims in the vessel, including any possessory common-law lien of which a lienor is deprived under the provisions of subsection L shall be held terminated and shall thereafter attach, in like amount and in accordance with their respective priorities, to the proceeds of the sale; except that the preferred mortgage lien shall have priority over all claims against the vessel, except (1) preferred maritime liens, and (2) expenses and fees allowed and costs taxed, by the court.

"SUBSEC. N. (a) Upon the default of any term or condition of a preferred mortgage upon a vessel, the mortgagee may, in addition to all other remedies granted by this section, bring suit in personam in admiralty in a district court of the United States, against the mortgagor for the amount of the outstand-



ing mortgage indebtedness secured by such vessel or any deficiency in the full payment thereof.

"(b) This section shall not be construed, in the case of a mortgage covering, in addition to vessels, realty or personalty other than vessels, or both, to authorize the enforcement by suit in rem in admiralty of the rights of the mortgagee in respect to such realty or personalty other than vessels.

"TRANSFERS OF MORTGAGED VESSELS AND ASSIGNMENT OF VESSEL MORTGAGES.

"SUBSEC. O. (a) The documents of a vessel of the United States covered by a preferred mortgage may not be surrendered (except in the case of the forfeiture of the vessel or its sale by the order of any court of the United States or any foreign country) without the approval of the board. The board shall refuse such approval unless the mortgagee consents to such surrender.

"(b) The interest of the mortgagee in a vessel of the United States covered by a mortgage, shall not be terminated by the forfeiture of the vessel for a violation of any law of the United States, unless the mortgagee authorized, consented, or conspired to effect the illegal act, failure, or omission which constituted such violation.

"(c) Upon the sale of any vessel of the United States covered by a preferred mortgage, by order of a district court of the United States in any suit in rem in admiralty for the enforcement of a maritime lien other than a preferred maritime lien, the vessel shall be sold free from all preexisting claims thereon; but the court shall, upon the request of the mortgagee, the libellant, or any intervenor, require the purchaser at such sale to give and the mortgagor to accept a new mortgage of the vessel for the balance of the term of the original mortgage. The conditions of such new mortgage shall be the same, so far as practicable, as those of the original mortgage and shall be subject to the approval of the court. If such new mortgage is given, the mortgagee shall not be paid from the proceeds of the sale and the amount payable as the purchase price shall be held diminished in the amount of the new mortgage indebtedness.

"(d) No rights under a mortgage of a vessel of the United States shall be assigned to any person not a citizen of the United States without the approval of the board. Any assignment in violation of any provision of this section shall be void.

"(e) No vessel of the United States shall be sold by order of a district court of the United States in any suit in rem in admiralty to any person not a citizen of the United States.

"MARITIME LIENS FOR NECESSARIES.

"SUBSEC. P. Any person furnishing repairs, supplies, towage, use of dry dock or marine railway, or other necessities, to any vessel, whether foreign or domestic, upon the order of the owner of such vessel, or of a person authorized by the owner, shall have a maritime lien on the vessel, which may be enforced by a suit in rem, and it shall not be necessary to allege or prove that credit was given to the vessel.

"SUBSEC. Q. The following persons shall be presumed to have authority from the owner to procure repairs, supplies, towage, use of dry dock or marine railway, and other necessities for the vessel: The managing owner, ship's husband, master, or any person to whom the management of the vessel at the port of supply is intrusted. No person tortiously or unlawfully in possession or charge of a vessel shall have authority to bind the vessel.

"SUBSEC. R. The officers and agents of a vessel specified in subsection Q shall be taken to include such officers and agents when appointed by a charterer, by an owner pro hac vice, or by an agreed purchaser in possession of the vessel; but nothing in this section shall be construed to confer a lien when the furnisher knew, or by exercise of reasonable diligence could have ascertained, that because of the terms of a charter party, agreement for sale of the vessel, or for any other reason, the person ordering the repairs, supplies, or other necessities was without authority to bind the vessel therefor.

"SUBSEC. S. Nothing in this section shall be construed to prevent the furnisher of repairs, supplies, towage, use of dry dock or marine railway, or other necessities, or the mortgagee, from waiving his right to a lien, or in the case of a preferred mortgage lien, to the preferred status of such lien, at any time, by agreement or otherwise; and this section shall not be construed to affect the rules of law now existing in regard to (1) the right to proceed against the vessel for advances, (2) laches in the enforcement of liens upon vessels, (3) the right to proceed in personam, (4) the rank of preferred maritime liens among themselves, or (5) priorities between maritime liens and mortgages, other than preferred mortgages, upon vessels of the United States.

"SUBSEC. T. This section shall supersede the provisions of all State statutes conferring liens on vessels, in so far as such statutes purport to create rights of action to be enforced by suits in rem in admiralty against vessels for repairs, supplies, towage, use of dry dock or marine railway, and other necessities.

"MISCELLANEOUS PROVISIONS.

"SUBSEC. U. This section shall not apply (1) to any existing mortgage, or (2) to any mortgage hereafter placed on any vessel now under an existing mortgage, so long as such existing mortgage remains undischarged.

"SUBSEC. V. The Secretary of Commerce is authorized and directed to furnish collectors of customs with all necessary books and records, and with certificates of registry and of enrollment and license in such form as provides for the making of all indorsements thereon required by this section.

"SUBSEC. W. The Secretary of Commerce is authorized to make such regulations in respect to the recording and indorsing of mortgages covering vessels of the United States as he deems necessary to the efficient execution of the provisions of this section.

"SUBSEC. X. Sections 4192 to 4196, inclusive, of the Revised Statutes of the United States, as amended, and the act entitled 'An act relating to liens on vessels for repairs, supplies, or other necessities,' approved June 23, 1910, are repealed. This section, however, so far as not inconsistent with any of the provisions of law so repealed, shall be held a reenactment of such repealed law, and any right or obligation based upon any provision of such law and accruing prior to such repeal, may be prosecuted in the same manner and to the same effect as if this act had not been passed."

And the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out "Sec. 33." and insert in lieu thereof "Sec. 31." In lines 8 and 9 of the matter proposed by the Senate amendment strike out the words "or take in fuel"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the figure "11" and insert in lieu the figure "10" and change the section number from "34" to "32"; and the Senate agree to the same.

Amendment numbered 139: That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment insert the following: "Jurisdiction in such actions shall be under the court of the district in which the defendant employer resides or in which his principal office is located"; in line 1 of the matter proposed by the Senate amendment strike out the section number "36" and insert in lieu thereof the number "33"; and the Senate agree to the same.

Amendment numbered 140: Change "Sec. 37" to "Sec. 34."

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "35"; and the Senate agree to the same.

Amendment numbered 142: That the House recede from its disagreement to the amendment of the Senate numbered 142, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "specifically"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In line 1 of the matter proposed by the Senate amendment strike out the section number "39" and insert in lieu thereof the number "36"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: At the end of the matter proposed by the Senate amendment change the period to a semicolon and add the following: "the term 'board' means the United States Shipping Board; and the term 'alien' means any person not a citizen of the United States"; also change the section number in line 1 from "40" to "37"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146,

and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following:

"SEC. 38. That section 2 of the shipping act, 1916, is amended to read as follows:

"SEC. 2. (a) That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof; but in the case of a corporation, association, or partnership operating any vessel in the coastwise trade the amount of interest required to be owned by citizens of the United States shall be 75 per cent.

"(b) The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"(c) Seventy-five per cent of the interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to 75 per cent of its stock is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if 75 per cent of the voting power in such corporation is not vested in citizens of the United States; or (c) if, through any contract or understanding it is so arranged that more than 25 per cent of the voting power in such corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of any interest in the corporation in excess of 25 per cent is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

"(d) The provisions of this act shall apply to receivers and trustees of all persons to whom the act applies, and to the successors or assignees of such persons."

And the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the following: "39"; and the Senate agree to the same.

WILLIAM S. GREENE,  
G. W. EDMONDS,  
FREDERICK W. ROWE,  
RUFUS HARDY,  
W. B. BANKHEAD,

I sign this report because, as a whole, I favor the bill, but there are parts of it to which I strongly object.

RUFUS HARDY,

*Managers on the part of the House.*

W. L. JONES,  
WILLIAM M. CALDER,  
CHAS. L. McNARY,  
JOS. E. RANDELL,  
F. M. SIMMONS,

*Managers on the part of the Senate.*

#### STATEMENT.

The managers on the part of the House at the third conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is explanatory and directs the United States Shipping Board in the disposition of vessels and shipping property, in the making of rules and regulations, and in the administration of the shipping laws to have

due regard for the necessity for a merchant marine in order to provide for the proper growth of the foreign and domestic commerce of the United States, and the encouragement of a privately owned merchant marine; and the House recedes.

On amendment No. 2: This amendment changes a section number; and the House recedes.

On amendment No. 3: This amendment is a clerical change; and the Senate recedes with an amendment.

On amendment No. 4: This amendment provides for the repeal of sections 5, 7, and 8 of the shipping act of 1916, inasmuch as the provisions relating to construction and equipment of vessels and their sale is provided in this bill; and the House recedes.

On amendment No. 5: This amendment is a clerical change; and the House recedes.

On amendment No. 6: This amendment is a clerical change; and the House recedes.

On amendment No. 7: This amendment is a clerical change; and the House recedes.

On amendment No. 8: This amendment is a clerical change; and the House recedes.

On amendment No. 9: This amendment is a clerical change; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the House recedes.

On amendment No. 11: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 5 to 11, inclusive, makes uniform the use of the words "acts or parts of acts" and clarifies the provision relating to the enforcement of the penalty provisions of such acts.

On amendment No. 12: This amendment authorizes the board to complete any construction work begun in accordance with the provisions of the acts repealed whenever the board deemed such completion for the best interests of the United States; and the House recedes.

On amendment No. 13: This amendment is a clerical change; and the House recedes.

On amendment No. 14: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 13 and 14 was taken for the same reason as the action in regard to amendments 5 to 11, inclusive.

On amendment No. 15: The amendment provides that any person dissatisfied with an action of the board relating to the disposition and liquidation of matters incident to the powers conferred upon the President by the acts repealed should have the same right to sue the United States as if such action had been taken by the President. The House recedes and agrees to the Senate amendment.

On amendment No. 16: This amendment is an amendment to section 3 of the shipping act of 1916 increasing the membership of the board to seven; providing that two of the members are to be appointed from the Pacific States, two from the Atlantic States, one from the Gulf of Mexico, one from the Great Lakes, and one from the interior; providing that each commissioner shall devote his time to the duties of his office, that the board may divide the supervision of its activities and may employ attorneys for investigation and court work. The commissioners in office at the time the section takes effect are to hold office until the new commissioners are appointed and qualify, and each commissioner is to receive a salary of \$12,000. The House recedes with an amendment for a bipartisan board and a clerical change.

On amendment No. 17: This amendment changes a section number; and the House recedes.

On amendment No. 18: This amendment includes all vessels within the terms of the section instead of limiting its provisions to merchant vessels; and the House recedes.

On amendment No. 19: This amendment is a clerical change; and the House recedes.

On amendment No. 20: This amendment changes a section number; and the House recedes.

On amendment No. 21: This amendment authorizes the President to determine when vessels under this section are required by another branch of the Government service; and the House recedes.

On amendment No. 22: This amendment extends the power of the President to except certain vessels from the provisions of the section when needed by any other branch of the Government; and the House recedes.

On amendment No. 23: This amendment is clerical; and the House recedes.

On amendment No. 24: The House recedes.



On amendment No. 25: This amendment changes a section number; and the House recedes.

On amendment No. 26: This amendment restates the purpose for which vessels may be sold; and the House recedes.

On amendment No. 27: This amendment is a clerical change; and the House recedes.

On amendment No. 28: This amendment limits the power to sell vessels to cases when the sale is consistent with good business and the objects of the act; the House recedes with an amendment to provide that such sale shall be public or private and competitive, after appraisalment and due advertisement.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 29 and 30 conforms the terms "citizens of the United States" to the definition in the shipping act of 1916.

On amendment No. 31: This amendment changes a section number; and the House recedes.

On amendment No. 32: This amendment changes a section number; and the House recedes.

On amendment No. 33: This amendment compels the completion of the payment of interest within 15 years; and the House recedes.

On amendment No. 34: This amendment adds the word "deferred" to clarify the sentence; and the House recedes.

On amendment No. 35: The original House bill provided that the payment of the purchase price should not be deferred more than 15 years after the contract of sale; the Senate amendment changed this to 20 years; the Senate recedes from its amendment.

On amendment No. 36: This amendment is a clerical change; and the House recedes.

On amendment No. 37: This amendment makes it mandatory upon the board to consider the various factors provided in the section in fixing or accepting the sale price of vessels; and the House recedes.

On amendment No. 38: This amendment is a clerical change; and the House recedes.

On amendment No. 39: This amendment prescribes that the available supply of vessels shall be considered in making a sale; and the House recedes.

On amendment No. 40: This amendment is a clerical change; and the House recedes.

On amendment No. 41: This amendment prescribes that freights received and prospects of their maintenance shall be considered in making a sale; and the House recedes with an amendment to provide that existing freight rates should be considered.

On amendment No. 42: This amendment provides that facts or conditions influencing business men in the sale of similar vessels shall be taken into consideration in making a sale and prohibits the sale of a vessel at less than the cost of constructing vessels of similar type in private shipyards at the time of such sale; and the House recedes with an amendment striking out the limitation relating to the sale at less than construction cost.

On amendment No. 43: This amendment is a clerical change; and the House recedes.

On amendment No. 44: This amendment provides that deferred payments of purchase price of vessels should bear interest at a rate of not less than 5½ per cent per annum, payable semiannually; and the Senate recedes.

On amendment No. 45: This amendment changes a section number; and the House recedes.

On amendment No. 46: This amendment is a clerical change; and the House recedes.

On amendment No. 47: This amendment is incorporated with amendment No. 51; and the Senate recedes.

On amendment No. 48: This amendment provides that in sales to aliens payments shall be completed within 10 years; the House recedes with an amendment providing that such sales shall be in accordance with the provisions of the act relating to sales to American citizens, but that completion of payment of purchase price and interest shall not be deferred more than 10 years after such sales.

On amendment No. 49: The Senate recedes from this amendment, which prohibits sales to aliens of vessels of a deadweight tonnage over 6,000 tons and less than 10 years of age.

On amendment No. 50: This amendment provides that the board shall carefully investigate before selling to aliens; and the House recedes.

On amendment No. 51: This amendment provides that the board shall make a full statement of its reasons for making a sale to aliens and that deferred payments of purchase price shall bear interest of 5½ per cent; and the House recedes with an amendment to provide that the board shall attempt to sell to American citizens and agree by an affirmative vote of not less than five of its members spread upon the minutes of the board to make such sale. The board shall then make a full statement of its reasons for the sale, and deferred payments thereon shall bear interest at not less than 5½ per cent.

On amendment No. 52: This amendment directs the board to investigate the establishment of steamship lines and to sell or charter vessels of the United States to citizens of the United States in order to provide for such lines. In case such sale can not be made the board shall operate the line until it may be sold or it is shown not to be self-sustaining. The Postmaster General is authorized to contract for the carrying of mails over such lines at a price to be agreed upon by the board and the Postmaster General. Preference in the sale or assignment of vessels on such lines are to be given to citizens of the United States who are supported by domestic communities or who are maintaining a service from a United States port to a world-market port. In the case of steamship lines maintained by the United States at the time of the enactment of this act the board is directed to continue such lines until it determines such continuance against public interest or unbusinesslike. The House recedes with an amendment exempting this section from the provisions of the mail subvention act and a provision that where service under Government administration is established the charge therefor shall be on a cost basis.

On amendment No. 53: This amendment confers general powers upon the board to investigate terminal facilities at ports, and in case it finds that rates of rail carriers are detrimental to the upbuilding of such ports, or that new rates or additional terminal facilities should be made by carriers, it may submit its findings to the Interstate Commerce Commission; and the House recedes with an amendment prescribing the procedure for the submission of the findings of the board to the commission and empowering the commission to issue orders relative to rail carriers with or without further investigation.

On amendment No. 54: This amendment changes a section number; and the House recedes.

On amendment No. 55: This amendment makes more specific the sale which is provided for under this section; and the House recedes.

On amendment No. 56: This amendment strikes out a statement of policy; and the House recedes.

On amendment No. 57: This amendment is a clerical change; and the House recedes.

On amendment No. 58: This amendment is a clerical change; and the House recedes.

On amendment No. 59: This amendment is a clerical change; and the House recedes.

On amendment No. 60: This amendment includes associations under the terms of this section; and the House recedes.

On amendment No. 61: This amendment is a clerical change; and the House recedes.

On amendment No. 62: This amendment is a clerical change; and the House recedes.

On amendment No. 63: This amendment is a clerical change; and the House recedes.

On amendment No. 64: This amendment is a clerical change; and the House recedes.

On amendment No. 65: This amendment strikes out the provision making insurance payable to the board and is incorporated in amendment No. 69 and made applicable both to general insurance and indemnity insurance.

On amendment No. 66: This amendment is a clerical change; and the House recedes.

On amendment No. 67: This amendment is a clerical change; and the House recedes.

On amendment No. 68: This amendment is a clerical change; and the House recedes.

On amendment No. 69: This amendment requires insurance to be made payable to the board or to the party in interest and authorizes the board to enter into agreements respecting the payment or guarantee of premiums of insurance; and the House recedes.

On amendment No. 70: This amendment changes a section number; and the House recedes.

On amendments Nos. 71, 72, 73, 74, 75, and 76: Are clerical changes; and the House recedes.

The action of the conferees on amendments Nos. 71 to 76, inclusive, was taken in order to perfect the provision in the bill relating to the establishment of the separate insurance fund.

On amendment No. 77: This amendment provides that for the next five years the board may establish a construction fund not to exceed \$50,000,000 from the revenues from sales and operations to be used in the construction or in aid of the construction of new vessels of a certain type for service on steamship lines. This fund shall be loaned to citizens of the United States to build such vessels in private shipyards, but no loan shall be in a greater sum than two-thirds of the cost of the vessel to be constructed. The board is required to take a first lien upon such vessels and to otherwise secure the repayment of the sum loaned with interest, and the maintenance of the service to be established. In case the board deems it important to establish service and is unable to interest citizens of the United States in the construction of vessels in private shipyards with the aid of such fund it is authorized to construct such vessels in private shipyards, but not on a cost-plus basis, and when such vessels are sold a cash payment of not less than 25 per cent of the purchase price, ample security for deferred payment, and interest on loans at the rate of 5½ per cent are to be required by the board. The House recedes with an amendment decreasing the amount of the construction fund to \$25,000,000 and prohibiting the board from constructing any vessels out of such fund.

On amendment No. 78: This amendment changes a section number; and the House recedes.

On amendment No. 79: This amendment authorizes the board to manage and operate or charter or lease vessels until sold; the House recedes with an amendment providing that such vessels may also be reconditioned and kept in suitable repair.

On amendment No. 80: This amendment is clerical; and the House recedes.

On amendment No. 81: This amendment changes the original time limitations in the House bill with regard to the operation, charter, or lease of a vessel by the board, and permits vessels to be managed, operated, or chartered or leased until sold. The Emergency Fleet Corporation is continued in existence, with authority to operate vessels until they are sold. The House recedes with an amendment continuing operation by the Emergency Fleet Corporation unless otherwise directed by law.

On amendment No. 82: This amendment is made to perfect amendment No. 81; and the House recedes.

On amendment No. 83: This amendment changes a section number; and the House recedes.

On amendment No. 84: This amendment is clerical; and the House recedes.

On amendment No. 85: This amendment excludes vessels transferred from the provisions of the section; and the House recedes.

On amendment No. 86: This amendment changes a section number; and the House recedes.

On amendments Nos. 87 and 88: These amendments are clerical; and the House recedes.

On amendment No. 89: This amendment omits the provision relating to the payment of the purchase price within five years after the sale; and the House recedes.

On amendment No. 90: This amendment changes a section number; and the House recedes.

On amendment No. 91: This amendment extends the time for obtaining net proceeds from activities authorized in the act from 1920 to 1921.

On amendments Nos. 92 and 93: These amendments are clerical; and the House recedes.

On amendment No. 94: This amendment changes a section number; and the House recedes.

On amendments Nos. 95, 96, and 97: These amendments are clerical, changing the designation of the "fund" to "construction loan fund"; and the House recedes.

On amendment No. 98: This amendment changes the time for covering net proceeds into the Treasury from 1920 to 1921; and the House recedes.

On amendments Nos. 99, 100, and 101: These amendments are clerical; and the House recedes.

On amendments Nos. 102 and 103: These amendments change section numbers; and the House recedes.

On amendment No. 104: This amendment more accurately describes what vessels are exempt from payment for charter hire under this section; and the House recedes.

On amendments Nos. 105, 106, and 107: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 104 to 107, inclusive, was taken in order to specify what vessels were exempt from the payment by the War Department for charter hire.

On amendment No. 108: This amendment changes a section number; and the House recedes.

On amendments Nos. 109, 110, 111, 112, 113, 114, 115, 116, 117, and 118: These amendments are clerical; and the House recedes.

The action of the conferees on amendments Nos. 109 to 118, inclusive, was taken to include within the section all powers granted the Emergency Fleet Corporation to acquire, sell, or dispose of lands, houses, and buildings.

On amendment No. 119: This amendment limits the power of the Emergency Fleet Corporation to dispose of property or interests of the United States except when consistent with good business and the best interests of the United States.

On amendment No. 120: This amendment directs the board to take over in one year the possession of the German wharves. It further authorizes the board to pay to Hoboken, N. J., the taxes levied but uncollected by such city for the years 1918 and 1919 upon such property and to pay thereafter legitimate taxes to that city of not less than the average annual amount of the taxes from 1916 to 1920, inclusive. The House recedes with an amendment to the effect that the board shall take over the German wharves on January 1, 1921, that Army bases acquired for military or naval purposes during the war may be transferred by the President to the board, that any part of any property taken over or transferred to the board may at the option of the President be given to the War or Navy Department, and that no taxes are to be paid to the city of Hoboken.

On amendment No. 121: This amendment amends the shipping act, 1916, so that the owner of a vessel documented under the laws of the United States or purchased from the board may not sell or charter the vessel foreign without the approval of the board. Such approval is contingent upon the investment of the proceeds of the sale in the construction in the United States shipyards of other vessels of a superior type. The House recedes with an amendment which strikes out this condition. The amendment as agreed to also subjects to regulations of the board the chartering of any vessel purchased from it or documented under the laws of the United States.

On amendment No. 122: This amendment provides for investigation by the board and recommendations by it as to what apprentices should be carried upon vessels of the United States and on vessels having contract for the carrying of the mails. The board is also directed to submit recommendations for additional legislation to make available a sufficient number of officers and able seamen who are citizens of the United States to officer and man the merchant marine. The Senate recedes.

On amendment No. 123: This amendment authorizes the board (1) to make rules and regulations putting into effect the provisions of this act; (2) to make such rules and regulations as to vessels in the foreign and coastwise trade as will adjust and meet unfair foreign laws, competition, or practices; (3) to request the suspension of any existing rule or regulation affecting the foreign or coastwise trade; and (4) to approve or disapprove any future rule or regulation of that nature. The Public Health Service and Steamboat-Inspection Service are exempt from this regulatory power of the board. The President is authorized to settle disagreements between the board and any other agency as to the suspension or approval or disapproval of any such rule or regulation.

The House recedes with an amendment which eliminates from the provisions of this section rules and regulations relating to coastwise trade, and rules and regulations in respect to the Consular Service.

On amendment No. 124: This amendment provides for the exclusion from a port of the United States of a vessel owned by any person whom the board finds has violated any provision of sections 14 or 16 of the shipping act, 1916. The House recedes with an amendment comprising H. R. 12074 as reported to the House.

On amendment No. 125: This amendment, first, authorizes the board to establish service between the ocean terminal of the Government railway in Alaska and other ports, and, second, forbids the board to charge rates for Government service at less than cost when competing with private lines. The Senate recedes in view of the action taken in respect to amendment No. 52.

On amendment No. 126: This amendment extends the coastwise laws to the possessions of the United States within one year after the passage of this act. The House recedes with an amendment to the effect that the coastwise laws shall not take effect with reference to the Philippine Islands until the President by proclamation declares that adequate shipping service has been established with the islands.

On amendment No. 127: The amendment repeals the act of October 6, 1917, in respect to the suspension of existing laws as to the admission of foreign-built vessels to American registry when engaged in the American coastwise trade, except



that certain foreign-built vessels owned on February 1, 1920, by citizens of the United States may continue to be so engaged. The House recedes with an amendment which permits the board to authorize foreign-built ships to operate between Hawaii and the Pacific coast until February 1, 1921.

On amendment No. 128: The Senate amendment exempted from war profits and excess profits taxes for 10 taxable years after the enactment of this act the taxpayer's net income from a vessel documented under the laws of the United States and operated in foreign trade if the owner of the vessel invests in a new vessel or sets aside in a fund to be used in the building of new vessels in the shipyards of the United States an amount equivalent to the war-profits and excess-profits taxes that would have been payable by such taxpayer on account of the net earnings of such vessel but for the provisions of this section. This amendment permitted this exemption only if at least two-thirds of the cost of the new vessel is paid for out of the ordinary funds or capital of the person having the new vessel constructed.

This amendment also exempted for a period of 10 years after the enactment of this act from income and excess-profits and war-profits taxes the gain from the sale of a vessel documented under the laws of the United States and built prior to January 1, 1914, if the entire proceeds from such sale are invested in the building of new ships in American shipyards and such new ships documented under the laws of the United States.

This amendment also provided that the Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Shipping Board should determine from time to time the annual depreciation allowances of vessels in order that the owners of such vessels may be put as nearly as possible on a parity with the owner of the ships under the flags of foreign competitors in the world's carrying trade.

The House recedes from its disagreement to this amendment with an amendment restoring the Senate amendment except the last paragraph.

On amendment No. 129: This amendment provides that all mail of the United States carried on vessels shall, if practicable, be carried on American-built vessels, documented under the laws of the United States. Subletting of any contracts of carriers is forbidden, and the United States Shipping Board and the Postmaster General shall determine the rate of compensation for the carriage of such mail. The House recedes with an amendment that the provisions of this section shall not affect the subvention act of 1891.

On amendment No. 130: This amendment provides for the recognition by all agencies of the Government of the American Bureau of Shipping, or other similar approved organization, as the official classification bureau. The House recedes with an amendment confining such recognition exclusively to the American Bureau of Shipping in accordance with the provisions of H. R. 11311 as passed the House.

On amendment No. 131: This amendment permits cargo vessels to carry passengers not in excess of 12 in number on all trips. The House recedes with an amendment which restores the original limitation of 16 passengers as in H. R. 11313, as passed the House, but limits the privilege to countries affording a reciprocal privilege.

On amendment No. 132: This amendment forbids the transportation of merchandise by rail and water between points in the United States, including the Territories and possessions, in any other than United States bottoms. The House recedes with an amendment that this shall not apply to transportation between points within the continental United States, excluding Alaska, over through routes recognized by the Interstate Commerce Commission and comprised in part of Canadian rail lines. The amendment as agreed to also provides that the section shall not take effect as to transportation upon the Yukon River until the United States Shipping Board finds that proper transportation service will be furnished thereon by citizens of the United States.

On amendment No. 133: This amendment provides for discriminatory proportional rates against foreign competitors where the water end of the journey is by vessels documented under the laws of the United States and owned by persons who are citizens of the United States. The House recedes with an amendment which eliminates the requirement of citizenship.

On amendment No. 134: This amendment exempts marine insurance companies from the provisions of the antitrust laws. The House recedes with an amendment consisting, with verbal alterations, of H. R. 13889.

On amendment No. 135: This Senate amendment is an extensive provision by which the mortgagee under a mortgage upon a vessel of the United States is made more secure in his interest in the vessel than he is under existing admiralty law. The

amendment supplements the existing mortgage-recording provisions by creating a preferred mortgage which in foreclosure proceedings will have priority in the distribution of the proceeds from the sale of the mortgaged vessel, over all maritime liens against the vessel except liens for damages arising out of tort, stevedores', and crews' wages, general average, and salvage. The preferred status arises upon the recording of the mortgage as a preferred mortgage and its indorsement upon the vessel's documents. Under the Senate amendment the foreclosure proceedings are brought in the Federal courts in equity with simulated admiralty procedure under which the court in equity gives a title good against the world and terminates all pre-existing claims against the vessel. In the case of a sale by court order consequent upon the institution of libel proceedings in admiralty against a vessel covered by a preferred mortgage, the Senate amendment provides that the sale shall pass a title subject to the mortgage if the libellant is a lienor whose claim, by the provisions of the amendment, has not priority over but is subordinated to the mortgagee's interest. The Senate amendment also reenacts the maritime lien act of 1910 with the additional grant of a lien for towage in the home port of a vessel and the declaration that towage shall be presumed to be furnished upon the credit of a vessel.

The House recedes with an amendment which places the constitutional basis of Congress's power to legislate in respect to vessel mortgages upon the grant of admiralty jurisdiction and the "necessary and proper clause" of the Constitution instead of the power to regulate interstate and foreign commerce. The amendment as agreed to further places exclusive jurisdiction in the Federal courts to foreclose vessel mortgages upon the grant of admiralty jurisdiction instead of the provisions of the Constitution relating to diversity of citizenship and cases arising under the laws of the United States. The amendment as agreed to also makes the title granted under the order of a court of admiralty in the case of the libel of a vessel covered by a preferred mortgage good against the world, as under the existing admiralty law and international admiralty practice; clarifies the provisions as to fleet mortgages; provides for the reenactment and incorporation in the amendment of the existing vessel-mortgage recording provisions; and prevents the repeal of section 4 of the maritime lien act of 1910 in respect to the doctrines of advances and laches.

On amendment No. 136: This amendment amends section 4530 of the Revised Statutes so that seamen shall be entitled to receive wages at the port at which fuel is taken en route and so that no demand for wages shall be made in the same harbor more than once during the same entry. The amendment also limits the amount of wages payable at any port to one-half part of the balance of the wages earned and remaining unpaid at the time of the demand. The House recedes with an amendment eliminating the provisions in respect to demands at port at which fuel is taken on.

On amendment No. 137: This amendment amends paragraph (a) of section 11 of the act of June 26, 1884, by making the payment of advanced wages to seamen illegal, although the payment occurs without the United States. The House recedes with a clerical amendment.

On amendment No. 138: This amendment amends the seamen's act so as to confine certain provisions as to qualifications of able seamen upon the Great Lakes to citizens of the United States. The Senate recedes.

On amendment No. 139: This amendment amends section 20 of the seamen's act so as to extend the Federal employers' liability act to cases of personal injury to or death of seamen. The House recedes with an amendment that jurisdiction of all actions brought under the provisions of section 20 shall be under the court of the district in which the defendant employer resides or in which his principal office is located.

On amendment No. 140: This section authorizes the President to terminate treaties and conventions restricting the right of the United States to impose discriminating customs duties, and puts into effect the provisions of subsections 1 and 7 of section J of the Underwood Tariff Act. The House recedes with an amendment changing the section number.

On amendment No. 141: This amendment is a change in section number, and the House recedes with an amendment making a further change in the section number.

On amendment No. 142: This amendment makes a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 143: The House bill provided that the powers vested in the Shipping Board by this act may be exercised directly by the board or through the Emergency Fleet Corporation "or other agencies created pursuant to authority of law." The Senate amendment strikes out the quoted words, and the House recedes.

On amendment No. 144: This amendment contains the usual clause providing that if part of the act is held unconstitutional, the remainder of the act shall not be invalidated thereby, and the House recedes with an amendment making a change in section number.

On amendment No. 145: This amendment provides definitions for terms used in the act, and the House recedes with an amendment inserting further definitions, and making a change in section number.

On amendment No. 146: The shipping act, 1916, in section 2, provides that in order for a corporation, partnership, or association to be considered a citizen of the United States for the purposes of this act, a controlling interest therein must be owned by citizens of the United States. The Senate amendment amends this provision so as to require 100 per cent ownership by United States citizens, except in the case of a concern operating vessels exclusively in foreign trade, in which case 75 per cent is sufficient. The House recedes with an amendment which restores the existing law, but provides for a requirement of 75 per cent ownership by United States citizens in the case of corporations, partnerships, and associations operating any vessel in the coastwise trade.

On amendment No. 147: This amendment is a change in section number, and the House recedes with an amendment making a further change in section number.

On amendment No. 148: This amendment is a clerical change; and the House recedes.

On amendment No. 149: This amendment provides that the present members of the Shipping Board shall continue in office until the appointment of the new board created by amendment No. 16. The Senate recedes, but the substance of the amendment is dealt with in connection with the action in regard to amendment No. 16.

WILLIAM S. GREENE,  
G. W. EDMONDS,  
FREDERICK W. ROWE,  
RUFUS HARDY,  
W. B. BANKHEAD,

*Managers on the part of the House.*

Mr. BLANTON (during the reading of the conference report).—Mr. Speaker, I rise to a point of order. A communication has been sent to this House by the President of the United States, and I submit that particular Members of the House have no more right to view that document than others.

The SPEAKER. The Chair overrules the point of order.

Mr. BLANTON. There are Members of the House now reading the President's veto and I object to it.

The SPEAKER. The Chair overrules the point of order.

The Clerk concluded the reading.

Mr. GREENE of Massachusetts. Mr. Speaker, I desire to yield 20 minutes to the gentleman from Alabama [Mr. BANKHEAD] in the interest of the minority.

Mr. BANKHEAD. Is it the desire of the gentleman from Massachusetts that gentlemen on this side shall speak before any explanation is made of the conference report? I would say very frankly to the chairman of the committee that there is a great deal of misapprehension on this side of the House in respect to some of the questions involved in conference reports.

Mr. GREENE of Massachusetts. I think I can clear up any misapprehension after I speak for a few moments. I shall make a statement, to be followed by the gentleman from Pennsylvania [Mr. EDMONDS], who will make a full explanation of the conference report, so that Members will know exactly what the bill means. I want to make a few remarks myself, as I have been here for many years. [Laughter and applause.]

Mr. Speaker, if I live for two weeks from to-day it will be 22 years since I entered this House. [Applause.] Ever since I have been in this body I have been in favor of an American merchant marine, and I have tried to accomplish this result. I could not obtain sufficient support to secure this result because I could not convince the majority upon the Republican side of the center aisle that they ought to vote to enact into law any proposition which would provide an American merchant marine. On the 8th day of November, last year, a bill was brought into this House by myself from the Committee on the Merchant Marine and Fisheries, with a unanimous report, providing for the establishment of an American merchant marine, and after one day of open debate, when everyone has a chance to say what he thought of the proposition, without a demand for a roll call from myself, but with a demand on the other side of the House for a roll call, the bill was adopted by a vote of 240 in favor of the bill and 8 votes against it. That bill was sent to the Senate. It laid in the Senate for nearly seven months, and the body at the other end of the Capitol, if any-

one, is to blame for delay in not considering this bill earlier and returning the same earlier to this body. However, I should not and I do not wish to criticize that honorable body. The bill is here in time to be enacted into law. I am going to offer all of the Members of the House a chance to vote for it.

It is a purely American bill. All of the changes made in the bill were made since the bill left this body. A number of bills have been acted on by the committee and reported unanimously to this House, and these bills are now included by the action of the Senate in adding them to the original bill, H. R. 10378, and are presented for your determination.

The bill H. R. 11311 was introduced by Mr. EDMONDS, of Pennsylvania, and it provided for a classification of the vessels of the United States, and it was the first bill passed by this body after the original bill had been adopted on November 8, 1919. That classification bill provides for an American bureau of shipping. This American bureau of shipping is to be a competitor for the business of the world with the British Lloyd's, which has been in effect for a great many years in the British Empire. No expense will be incurred under the bill. The owners of the vessels who have their vessels classified will pay money enough for all of the expenses of the classification, so that this does not cost the United States Government a single penny. It is a good bill, and I want to tell you further that in all of the effort that I have made for the building up of American merchant marine during my membership in this body there has been a mysterious body of men in the United States who seem to prefer to have British shipping encouraged rather than to have American shipping built up and maintained.

I found that same element that have opposed the legislation for the upbuilding of the American merchant marine by the Congress are very largely dominant in the maritime business of the city of New York, and they have their agents and emissaries scattered all over our country. Everywhere whenever there is any amount of shipping the British Lloyd's have their agencies, and they are after the trade of the world. They do not calculate that the American merchant marine shall be established.

I ask for the adoption of this conference report because I know that the American merchant marine will be firmly established after these bills have been enacted into law, and if there is anyone here who does not favor this bill because of any reason, unless it be a very valid one, I propose to classify the man who objects to this bill and who votes against its enactment into law as an affiliated agent of the British Lloyd's, and to put those who vote for the bill as valuable agents of the American Bureau of Shipping. [Applause.]

You can take your choice. I do not care how you vote, but you should not vote a penny to aid the British Lloyd's from the Treasury of the United States. Now, we had another bill that occupied a great deal of time of the committee. We have occupied considerable time since we have been empowered by the votes of this body to prepare and present an American merchant marine bill.

Mr. JUUL. Will the gentleman yield for a question?

Mr. GREENE of Massachusetts. Certainly.

Mr. JUUL. I want to ask the chairman of this committee if there has been any objection raised to the passage of this bill by any seamen's union—to the bill in its present shape?

Mr. GREENE of Massachusetts. I do not recall any such opposition.

Mr. JUUL. And if such, has it been withdrawn if there has been any?

Mr. GREENE of Massachusetts. The gentleman wants it withdrawn?

Mr. JUUL. If there is any objection pending on any section of this bill.

Mr. GREENE of Massachusetts. I do not recall that they did; it would not have affected my action. I am so much of an American I do not care for any organization that does not prefer the promotion of legislation for keeping the American flag on the sea in preference to that of any other nation in existence. Now, I am going to talk about the bill, briefly, I have in my hand.

It is a bill in the interest of the merchant marine. It is to provide for security of investments in mortgages upon vessels of the United States, and for other purposes. It is a bill that has had the careful consideration of the committee of which I am chairman all the time since we commenced to consider it. We took it up just as quickly as we could after the House was organized, last May, and it provides to safeguard mortgages upon vessels—give them the preference—so that they can issue bonds to aid persons who need money with which to build American vessels, the American vessels to be classified by the American Bureau of Shipping, and that bill is one of the bills which the Senate passed without amendment, and they do not



pass many bills in that manner. One hundred and forty-nine amendments were made to the consolidated bills which you are considering to-night, but this other bill passed without one single amendment at all. [Applause.] Now, we have another bill I want to call attention to, presented by Mr. EDMONDS, a bill to promote marine insurance, and for other purposes. Now, perhaps you do not know, but I will tell you, that the marine insurance has been done on the other side of the water by the British companies and of the companies who control the marine insurance there and have forced New York to take their insurance in order that they may obtain the opportunity to engage in foreign trade on their vessels. We are going to place the American vessels in the American insurance organizations that are created by this bill, and we have given patient hearings to this important subject, and that is going to be distinctly American also.

It is a bill to promote marine insurance, and for other purposes, and a good bill or Mr. EDMONDS would not have had anything to do with it, I will tell you that. [Applause.] So that these bills are all right. They ought to be adopted, every one, without any objection. We have taken out every amendment that anybody had in his mind was objectionable and said so, although I was informed by experts that there was not anything in the bills that ought to be halted by reason of points or order; but I am a sort of landlubber, and I do not know much about water except the water I drink, and so I do not know whether the bill is subject to points of order or not; but we found, however, some men did want to make points of order, and I rather imagine these fellows who made points of order are in sympathy with the British Lloyd's and want to delay the passage of this bill. [Laughter and applause.] I may say that—

This is the day I long have sought  
And mourned because I found it not.

I stand to-day with no tears in my eyes but tears of joy, that after nearly 22 years of service in this House I am to have the great pleasure of presenting to this House this measure, which I know will meet the approbation of everybody who knows anything about it. I talked to a southern shipbuilder to-day, and he told me it was a perfect bill and every man ought to vote for it, and he told me there was no reason why a living soul who had a spark of patriotism in his breast should vote against it. I agree with him. Now, I want to give Mr. EDMONDS 15 minutes to explain the bill in full, and I yield to Mr. EDMONDS 15 minutes, and thank you for listening to me. [Applause.] Mr. Speaker, I reserve the balance of my time. How much time have I used?

The SPEAKER. The gentleman has used 15 minutes.

Mr. EDMONDS. Mr. Speaker, I must decline to be interrogated.

As the chairman of the committee explained, this bill passed the House last October. It was the result of six months' study by the House Committee on the Merchant Marine and Fisheries, and about six months' study by the Senate Commerce Committee. It is a very unfortunate thing that it has to be brought in here in the last few days of the session, because I am sure that every Member of this House would be interested in hearing what it contains. It is one of the most important reconstruction measures that have passed this House this session. It ought to have the support of every Member. There is no doubt that a great many of you are puzzled over the provisions of the bill. Of course, it is hardly to be supposed that men who are located inland would know very much about maritime matters. The committee would have been glad to have had the opportunity to explain the bill fully to you. I have only 15 minutes and I have got to make the most of that time by trying to bring to your attention a few particular features of the bill.

There are two distinct parts of the bill. One is the administrative part; the other one embodies portions of the bill that are of benefit to the merchant marine. The administrative part, in the first place, repeals all the war legislation. That was in the Greene bill that passed the House. Now, the Senate amended that by placing in the bill a section which arranged for the promotion of a new Shipping Board, this new Shipping Board to be composed of seven members, to be paid \$12,000 a year each, and with all the restrictions in regard to interests. They should have no other interests excepting the Shipping Board interests, and these seven new men that are to be appointed under this bill are to be men who are to take charge of over \$2,000,000,000 worth, probably over \$3,000,000,000 worth, of Government property.

This board is divided up geographically. Two of the men come from the Pacific coast, two from the Atlantic, one from the Gulf, one from the Great Lakes, and one from the interior of the country. Our committee agrees that in all probability it is better that we should pay a higher salary and get men who will

devote their entire time to conducting the proper business of this commission. It also arranges for the sale of ships and other property. It arranges for the board through themselves or with operators to establish lines of ships where it is found necessary to have them established.

It arranges through a fund of \$25,000,000 a year for the board, not to construct ships, as has been stated around the room here, but to lend money to men who wish to construct these special ships that have been stated so frequently by the different members of the Shipping Board are necessary for the rounding up of the fleet. This fund is \$25,000,000 for five years. They can lend up to two-thirds of the amount on the value of the ship in mortgage. It arranges for a transfer of all the property acquired from various sources during the war to the board. This includes warehouses and wharves and other facilities that would be useful in building up a merchant marine and allows all our shipping facilities to be handled by the board. It arranges for an investigation, in connection with the Secretary of War, of port facilities, to see whether or not they can be improved. It gives a definition, a new definition, of citizenship, in which it is required that men or corporations or firms or associations that are in the coastwise trade must at least have 75 per cent American capital in their business.

Those in the foreign trade are left with a controlling interest of American capital in the business. And I want to say to you, gentlemen, while some criticize that, yet at the same time it is found that a great many countries are willing to put up a portion of the capital in a steamship line running to their country, and as long as the control and the officers remain in this country I do not see how we can object. I call your attention to the China Mail Line. That is 60 per cent American and 40 per cent Chinese. There does not seem to be any good reason why, when we can not raise enough capital in this country to dispose of all this property, we should not take advantage of the money offered us by friendly countries.

It arranges for a cooperation between the departments in marine matters, so that all matters that are taken up in the different departments that have to do with such matters will be taken up with the Shipping Board also, thus seeing that they are fairly taken care of and that no interests are injured. Now, that takes up in a general way the administrative portion of the bill.

The portions of the bill for the benefit of shippers are as follows: The bill arranges for marine insurance pooling. Unfortunately the marine insurance companies in this country have never worked together. A company would get a policy much larger than it cared to take individually, and it would reinsure in foreign ports. Our pooling arrangement has been successful. I am announcing it to-night, I think for the first time on the floor here, that it has been successfully completed. The insurance companies have arranged for a line in purely American companies of \$2,000,000 on any hull in this country. They have arranged for a line of \$3,000,000 on the larger hulls, but \$1,000,000 of that is in what are known as admitted companies, companies with foreign capital but that are admitted and do business and pay taxes in this country.

Mr. McKEOWN. Will the gentleman yield at that point?

Mr. EDMONDS. I do not want to yield until I get through with my explanation, and then I will.

The insurance companies in connection with the Shipping Board have arranged for a duplicate salvage bureau. The large salvage association in this country to-day is the London salvage bureau. It works with Lloyd's, and is generally found where Lloyd's classification bureau is found. It is not the same concern. It is a different concern and has a different purpose to accomplish.

Insurance companies in this country, along with the Shipping Board, are going to duplicate that service, not only in this country but all over the world. The bill arranges for a class of preferred mortgages. It does not disturb the present mortgage law, but it arranges for a class of preferred mortgages. A small shipper could not get a mortgage taken on his ship because the mortgage came after all liens; the security was too indefinite. This gives the mortgage on this a new position. Part of the liens come after; part of them come before. The small shipper to-day, a man who wants to own four or five ships, can utilize this preferred mortgage and get capital for financing his line. It has been impossible in the past to get trust companies to take ship mortgages on account of this fact, and I think this will make them popular with the bankers of the country. The bill arranges for a marine classification bureau.

Mr. MILLER. Mr. Speaker, will the gentleman yield there for a question?

Mr. EDMONDS. No; not now.

It arranges for an American classification bureau. A bill for that purpose had already passed the House and it was sent

over to the Senate, but it was incorporated in this bill. It was unanimously passed by this House. It also arranges to restrict the rates, the import and export rates, on railroads to American ships unless American ships are not serving at the point of debarkation of the freight. This is a great advantage to American ships. It is no loss to the Government, and it is no loss to the railroads, and it stands in the way of a subsidy to American ships.

As an example I call attention to the fact that in Philadelphia steam anthracite coal takes a \$1.70 rate to Philadelphia. Foreign ships will pay that rate. Anthracite outside takes a \$1.50 rate. That is a 20 cent advantage in the rate, and that advantage will go to the American ships. The railroads lose nothing, but the American ship gets the advantage.

It also arranges for postal subventions, only within the limit of the appropriation, of course. It arranges to prevent discrimination against our ships in the foreign trade. I regret to state that the point of order made to-day against the conference report forced us to take out of the bill a very complete measure of this kind which would have allowed our lines to continue to compete with foreign lines between foreign ports, but it was subject to a point of order, and at the last conference it was withdrawn. The item that is retained in there is, I regret, not the provision that ought to be there.

A number of large steamship lines have formed an association to give preferred rebates between the West Indies and Europe. Our lines have to compete against that, and they can not, under our law, join it because they can not give preferred rebates. The amendment that was proposed this afternoon would have taken care of that, and would have prevented those lines from competing with us in any but a fair manner.

It also allows the carriage of passengers on cargo boats. We passed through the House a bill to accomplish this purpose, and it is incorporated in this bill without change. It arranges to protect our coastwise trade and keep our coastwise trade for our own ships. It arranges that in Alaska, where we have been kept out by Canadian ships, we can come back there. The coastwise protection is extended to the Philippines providing the President, after a thorough examination of the conditions there, deems it advisable.

It allows also for the abrogation of treaties with different countries, and provides that this Congress can at any time arrange for discriminating customs duties in favor of our ships. I would like to call attention to the fact, gentlemen, that when we get our import and export rates settled on our ships these discriminating duties will bring us return cargoes.

It arranges to change in some parts the La Follette bill, but all in favor of the sailor. The gentleman from Illinois [Mr. JUEL] asked a question about that a few moments ago.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. EDMONDS. May I not have a little more time?

Mr. GREENE of Massachusetts. I yield to the gentleman two more minutes.

Mr. CANNON. Right there, Mr. Speaker, will the gentleman yield for a question? I hope that the gentleman may have all the time that he desires. I do not know much about this bill. I have got to take it on faith.

Mr. EDMONDS. Will the gentleman ask unanimous consent for an extension?

Mr. CANNON. Yes. I ask unanimous consent, Mr. Speaker, that the gentleman from Pennsylvania may have such time as he may desire to explain this bill.

Mr. GRIFFIN. And to answer questions.

Mr. CANNON. Yes; and to answer questions. I would like to vote for the bill, but I would like to know more about it before I vote for it. I ask that the gentleman from Pennsylvania may proceed for 10 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania may proceed for 10 minutes more.

Mr. SABATH. How much time has the gentleman now?

The SPEAKER. He has no time.

Mr. SABATH. I understand four minutes has been yielded to him.

The SPEAKER. No; two minutes. The gentleman from Illinois has asked that he may have 10 minutes.

Mr. GRIFFIN. Reserving the right to object, if the gentleman is going to take 10 minutes in the elucidation of the bill there will be no time left for inquiries at all. But I will not interpose an objection.

Mr. EDMONDS. It also arranges—and this is a matter of interest to you all—to release taxes on excess profits only in event they are to be used in new ship construction. In other words, a shipowner can be relieved of his income taxes provided he uses

those taxes to build a new ship. He must put two-thirds of the money into that new ship himself. Only one-third of the new construction can come out of the taxes. But a man who bought a ship in 1914 or before that and sold it to-day at a profit such as would accrue, say three or four hundred thousand dollars, if he puts that entire sum into new construction he is relieved from the taxes on that profit. Now, I know that this is rather unusual legislation, but I have heard every man in this House make the statement that he wished to build up the American merchant marine, and a great many do not want to give subsidies. I think that this is an easy way for us to build up the American merchant marine, and let us see whether we can put it on the sea, doing business without subsidy. Let us see whether this bill will not make that possible.

Mr. BANKHEAD. Will the gentleman yield for a question in this connection?

Mr. EDMONDS. Yes.

Mr. BANKHEAD. There seems to be some impression, at least on this side of the House, that there is some provision in this bill which provides for a subsidy. I should like to have the gentleman deny that statement very emphatically.

Mr. EDMONDS. There is absolutely nothing in this bill except what I have explained to you that in any way takes any money out of the Treasury of the United States. These to-be-earned taxes come out of the Treasury. The freight arrangement does not come out of the Treasury. There is nothing here except the postal subvention that could be in any way construed to be a subsidy.

Mr. WHEELER. Will the gentleman yield?

Mr. EDMONDS. I yield to the gentleman from Illinois.

Mr. WHEELER. I am very much opposed to the sale of these ships. Does the gentleman really believe that provision should have remained in the bill?

Mr. EDMONDS. It just depends on whether the gentleman is for Government ownership or whether he is opposed to Government ownership. Surely there is no question in the minds of those who are opposed to Government ownership and operation of these ships. The Government can not keep them always. It must sell them.

Mr. GRIFFIN. In connection with that question will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. GRIFFIN. I should like to ask, if this is truly a bill for the upbuilding of the American merchant marine, why did you retain in it the provision for the sale of ships to aliens?

Mr. EDMONDS. For the simple reason that the wooden ships, for instance, are absolutely useless in American trade.

Mr. GRIFFIN. Why did you not confine it to the wooden ships?

Mr. EDMONDS. There are some of the steel ships in the same category. The gentleman must realize that this bill requires that five out of the seven members of the board have to agree to the sale of a ship to an alien, and they have to make public their reason for so doing.

Mr. ROWAN. Will the gentleman yield?

Mr. EDMONDS. I yield to the gentleman from New York.

Mr. ROWAN. If this bill is for the promotion of an American merchant marine, I should like to ask why it provides for an indirect method of selling American ships to foreigners, no matter what the tonnage or age of the ship?

Mr. EDMONDS. I should like to ask the gentleman what he means by an indirect method?

Mr. ROWAN. This provides in section 9, in the third paragraph, that it shall be unlawful to charter, sell, transfer, or mortgage any vessel purchased from the board or documented under the laws of the United States to any person not a citizen of the United States unless with the consent of the board.

Mr. EDMONDS. That is a case where a man is already operating a ship purchased from the Shipping Board and it belongs to him.

Mr. ROWAN. And he can immediately turn around and sell it to an alien.

Mr. EDMONDS. He dare not sell it without the consent of the board.

Mr. ROWAN. Any kind of a ship, a ship of over 6,000 tons, a passenger ship, no matter what is the age of the ship, it does not make any difference, he can sell it.

Mr. EDMONDS. It does not make any difference what the ship is when it belongs to a private owner. Certainly he has a right to do what he wants with his property, and all we require is that he shall go to the Shipping Board and obtain their consent before he sells it, and they do not have to give their consent unless they want to.

Mr. ROWAN. If they give their consent, he can sell it to an alien.



Mr. EDMONDS. That is the existing law that you are talking about. That is nothing new. That is in the law now.

Mr. LINTHICUM. That is what we are kicking about.

Mr. JOHNSTON of New York. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. JOHNSTON of New York. The gentleman referred to the fact that this bill provides for prior liens by way of preferred mortgages.

Mr. EDMONDS. Yes.

Mr. JOHNSTON of New York. What relief or protection has a man got who supplies material to a ship? Does his lien for material furnished or labor supplied antedate and become prior to the lien referred to by the gentleman?

Mr. EDMONDS. No; it does not.

Mr. CHINDBLOM. Except this, that maritime liens retain their priority.

Mr. JOHNSTON of New York. Not for repairs.

Mr. CHINDBLOM. Those are not maritime liens. Those are contract liens.

Mr. OVERSTREET. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. OVERSTREET. I should like to have the gentleman explain sections 40 and 41. They have been amended in the conference report so as to protect the interests of owners of stock in corporations.

Mr. EDMONDS. Sections 40 and 41?

Mr. OVERSTREET. Yes; and also section 29—sections 29, 40, and 41.

Mr. EDMONDS. I have explained that.

Mr. OVERSTREET. I did not hear it.

Mr. EDMONDS. They have to have 75 per cent of American ownership before they are recognized as citizens under the bill. A man in the foreign trade has to have—

Mr. OVERSTREET. Is that satisfactory to the American people owning stock in corporations?

Mr. EDMONDS. It is absolutely satisfactory to them all.

Mr. McKINIRY. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. McKINIRY. Is there anything in the bill to prevent the Shipping Board being formed by a bare majority and selling the \$2,000,000,000 worth of ships practically in possession of the board to an alien, provided the sale is first put through an intermediary of American citizens?

Mr. EDMONDS. Yes; no ship having been in possession of the board before, even if sold outright, can be sold except with the board's permission.

Mr. McKINIRY. Then they could be sold?

Mr. EDMONDS. You would not take away a man's right to his own property?

Mr. PELL. Will the gentleman yield?

Mr. EDMONDS. Yes.

Mr. PELL. Are the ships to be sold as a whole or separate?

Mr. EDMONDS. That is impossible for anybody to provide by legislation. Common sense would say that the board would take the best trade they could get. I understand that 14 German ships have been turned over to a New York line for operation.

Mr. PELL. Is there any reason why these ships should not be sold to Americans and only to Americans?

Mr. EDMONDS. I think the law requires that to be done, unless they find that they are ships that they do not want and can not use and, therefore, they would find a customer where they could sell. This requires that five out of seven members of the board shall sign every sale to an alien, whether a wooden or a steel ship; and they must give their reasons in writing.

Mr. PELL. Would we not be better off if we obliged the ships to remain under the American flag?

Mr. EDMONDS. The gentleman knows that many ships were built during the war that are not commercial possibilities for this country. They can be used in the Mediterranean or in the Baltic, but we have no use for them here. No member of the Shipping Board would sell a ship to anybody if we had any use for it here. That would be impossible. You would not expect the Shipping Board to be any less American than we are.

Mr. PELL. We have not got the big lines—the big shipping companies—and it will take time to form those companies, and it will take time to raise enough capital. If we could hold these ships for the Government until such lines could be formed, there would be time to develop the companies. If these are to be sold in a short time, and there is no American line, they will go abroad.

Mr. EDMONDS. The gentleman realizes that nothing deteriorates more than a ship that is not in use. If we can

operate the ships, we will operate them. If we sell them and we can not sell them in America, we will have to sell them to aliens.

Mr. PELL. It will take years to form these big lines.

Mr. EDMONDS. We are developing a merchant marine faster than any country in the world. Let the gentleman go down to the Shipping Board and see the list of ships they have allocated.

Mr. McKINIRY. Mr. Speaker, I make the point of order that no quorum is present.

The SPEAKER. The gentleman from New York makes the point of order that no quorum is present. The Chair will count. [After counting.] Two hundred and nineteen Members, a quorum is present.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask that the gentleman from Alabama may use some of his time. There is only one more speech on this side.

Mr. BANKHEAD. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Speaker and gentlemen of the House, it is not any pleasant task for a man who has only been here a short time to undertake to raise his voice against the approval of a conference report, especially when that conference report is brought in by a man of such distinguished service in this House and for whom we all have the utmost respect. But, gentlemen, the proposition that is brought here in this bill not only affects the future of the merchant marine of this country, it not only affects the future policy of the United States Government in handling the shipping of this country, but it involves \$3,000,000,000 of property that was paid for out of the proceeds from Liberty bonds bought by the people of this country at their face value and now selling for 85 or 90 cents. It means a sacrifice of millions when we sell the ships to private individuals as provided in this bill, which is brought in here without an opportunity of knowing what is in it. I might be for the bill if I understood all of the terms. I do not think the gentleman would bring it in with the intention of doing any injury to the country.

It is not right and not fair to the American people for this Congress at this late hour to pass a measure that involves as much property as this does, with nobody knowing what it contains. [Applause.] The gentleman from Massachusetts [Mr. GREENE] has said that those of us who make opposition are agents of the English Lloyds. Gentlemen know that I live in Oklahoma, away in the interior of the country. I may not know all about maritime matters nor about a merchant marine. I do know, however, that under this bill if a man in my State was the most competent man in the United States to sit upon this board, he could not be placed there because you say the members of the board shall be made up, two men from the Pacific Coast States, two men from the Atlantic States, one from the Great Lakes and one from the Gulf States. What is the rest of the United States that pays the cost, that pays the freight, going to think about that? Are they not entitled to have their sons appointed on this board if they want to and are found to be competent? The man who is competent and lives in a coast State may have to move to the interior for the sake of his wife's health, or of some member of his family, yet he could not go on this board. I say that it is an unconstitutional provision, and you can not divide this country into preferred States like that. [Applause.]

There is not a man who is not on the conference committee who can tell you what is in this report. They can not tell you now the provisions of this bill. We passed a bill of 8 pages through this House, and the Senate amends the bill and the conferees come in now and bring back a hodgepodge, and a bill 59 pages long, and being a new bill written in conference, the conferees bring it in here and say to the Congress, "If you object to it, you are the agents of the English Lloyds." I say it is not a fair way to legislate, and this conference report is not entitled to the approval of this Congress under the circumstances.

I believe in a merchant marine because in Oklahoma we can not ship our grain and our cotton unless we have merchant ships to sail the seas. Whatever nation owns the arteries of commerce will control the wealth of the world, and while we were busy building up railroad transportation we let the other countries of the world build up their transportation on the seas, and for that reason they have gotten control of the export trade. I am not opposed to the United States going out and getting commerce, but I am opposed to disposing of this matter at this late hour without everybody having a fair chance to know the contents of the bill. [Applause.]

Mr. BANKHEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. DAVIS].

Mr. DAVIS of Tennessee. Mr. Speaker and gentlemen of the House, we are about to be called upon to vote upon the most important and most far-reaching measure that has been presented to this Congress for action. It is not only important because of the immense amount involved but in other particulars. It provides for the sale and disposition by the Shipping Board of what will amount to about 14,000,000 tons of shipping, worth \$3,000,000,000, owned by the Government, and paid for by taxes collected from the people. Furthermore, it defines and fixes the future policy of this Government with regard to our merchant marine. And now, without any adequate opportunity for discussion, without any opportunity for the Members of the House to read, much less to consider and study, the provisions of this lengthy, intricate bill, and this conference report, which contains 36 closely printed pages, and without any opportunity whatsoever to amend in any particular, we are called upon to vote for or against the conference report.

As has already been stated, the committee, after careful, extensive hearings, after a thorough consideration, perfected and unanimously reported a bill defining our policy with regard to the merchant marine and providing for the disposition and sale of our ships. It had the indorsement of the Shipping Board and the approval and support of the present Secretary of Commerce, who was at that time a Member of this House and of the Committee on the Merchant Marine and Fisheries which reported out the bill. Here is a copy of it. It contains about eight pages, as compared to this other with 59 pages that comes from the Senate. This House passed the House bill almost unanimously and should have done so. I indorsed and voted for that measure because it was a clear, concise, definite, correct statement of the policy of this House as well as of the Merchant Marine Committee, and I think that it represented the views of the great majority of the American people.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I must decline, because my time is so limited. That House bill was all right, and, as the chairman of the Committee on the Merchant Marine and Fisheries, who introduced it, has told you, it passed the House last November and then rested in the archives of the Senate for some seven months. They finally got busy, but, instead of accepting the House bill, they adopted 149 amendments to it, carried in over fifty-odd pages, and sent it over here a few days before adjournment.

Then it went to conference a few days ago, and I want to state that in my opinion the House conferees have worked faithfully and diligently and endeavored to defeat some of those vicious provisions imposed in the way of amendment by the Senate. They at first succeeded in eliminating some of these vicious provisions, but there are still contained in this bill and in the conference report vicious and un-American provisions—provisions which not only do not protect the interests of the American people and will not protect and preserve our American merchant marine, but which will have the contrary effect. This bill as reported contains provisions adopted at the instance of and for the benefit of certain private shipping and railroad interests, and was written by their representatives. In fact, the tenor, general purport, and apparent purpose of the bill is to take care of the private shipowners and other interests instead of to protect the stupendous interests of the American people.

Mr. CROWTHER. What are they?

Mr. DAVIS of Tennessee. If you will give me the time, I will go into a detailed discussion, but, of course, in 10 minutes I can not do more than make a general statement with regard to the 59-page bill, 149 amendments, and 36 pages of conference report, which has been changed three times in the last two days. [Applause.]

Mr. CROWTHER. Will the gentleman yield?

Mr. DAVIS of Tennessee. I must decline to yield, because my time is too limited. Now, as I said, the House conferees at first succeeded in eliminating some of these vicious provisions, but in their zeal and in their desire to get some sort of a bill passed this session they finally went back into conference and agreed to most of these objectionable features being reinstated, and eliminated some House amendments, so as to avoid further possible points of order being made. Some of the conferees have told me that they seriously object to many of the provisions of this Senate bill as reported, but that they reluctantly agreed to it, and at least one of them told me that it was hoped that hereafter we would be able to amend this bill so as to eliminate these objectionable features. However, I tell you that such a course is impossible. If you do not meet the issue right now, if you pass this bill in its present form, you will not be able to rectify this measure in the future. [Applause.] We would doubtless be able to pass such an amend-

atory measure through the House, but the same influences that caused the introduction and adoption of these Senate amendments over there, and which have caused the Senate conferees to insist upon the retention of these objectionable provisions so strenuously and effectively as to cause the House conferees to yield, will certainly prevent the passage of any bill which the House may subsequently pass to eliminate those vicious provisions, provided we pass this bill at this time. It takes an affirmative vote of both the Senate and the House to pass the bill, but the negative vote of the Senate could and doubtless would defeat any remedial bill which we might pass. The time to eliminate those objectionable features is now.

It is not necessary for any bill to pass at this time. It is infinitely more preferable to let it go over until the next session and then take the time to carefully consider, discuss, and perfect it and pass a proper bill than it is to ram through such a bill as this in the closing hours of the session, without any intelligent knowledge or consideration being possible, simply in order to pass some kind of a bill dealing with the subject. The House conferees all admit that it contains provisions which they do not approve. If, as a matter of fact, it is essential to pass a merchant-marine bill during this session, we should postpone the date of adjournment long enough to at least give this important matter careful, intelligent consideration. It is inconceivable to me that this Congress is willing to dispose of \$3,000,000,000 worth of the people's property and fix our future merchant-marine policy in the manner and under such circumstances as these. I venture the assertion that there is perhaps not a Member of this House, outside of the conferees and perhaps a few other members of the Merchant Marine and Fisheries Committee, who has found the time to even read this bill as reported and the conference report; in fact, three reports have been made within the past 36 hours, and the last one was not only not printed but was not read in full. Two of the conferees have told me that they did not know just what was in the last report. There has been so many rapid changes and so much confusion that not a Member of this House could anybody else could know fully just what we are acting upon.

Mr. YATES. Will the gentleman tell us some of the objections? Some of us want to know. I may be with the gentleman in the matter if I know.

Mr. DAVIS of Tennessee. Well, in the first place, the bill provides for the sale of our ships, which is all right—I am not objecting to that. I think that our ships ought to be sold, provided we sell them at an adequate price and in such manner and upon such conditions as to protect the interests of the people, and so that the ships will remain a part of our American merchant marine. However, I do not think that this bill affords sufficient protection in either respect. Although, as stated, we have about 14,000,000 tons of shipping, involving an ultimate investment of about \$3,000,000,000, and are experiencing very great difficulty in finding a sale for such vessels, and it is a foregone conclusion that we can not sell them at cost price, and although this bill directs a sale of our said shipping, yet section 11 of the bill provides for a construction fund of \$25,000,000 annually to be set aside out of the revenues from sales and operations, and—

the board shall use such fund to the extent required upon such terms as the board may prescribe to aid persons, citizens of the United States, in the construction by them in private shipyards in the United States—

And so forth. Attention is called to the fact that such fund can only be used "in private shipyards."

Furthermore, this bill permits discrimination in rates on connecting railroad and ship lines, when the vessel so transporting such persons or property by water is documented under the laws of the United States.

One Member asked one of the conferees, who was speaking, to deny that this bill provides for a subsidy. I say that there are several provisions in the bill which in effect amount to a subsidy. It contains many discriminations in favor of different private interests and against the interests of the public. One subsidy to which I wish to call attention, and which has already been admitted and discussed by the gentleman from Pennsylvania [Mr. EDMONDS], is that private shipowners are exempted from the payment of war profits and excess profits taxes imposed by the revenue act of 1918, for a period of 10 years, provided that the amount of such taxes are put into a construction fund, to be used toward the construction of ships of such owners. In my opinion, there is no more reason for thus discriminating in favor of and aiding private shipowners than there is in like manner encouraging the wheat grower, the cattle raiser, the manufacturer, or any other necessary industry. There are innumerable industries in this country which are at least as essential and as worthy of aid and encouragement as are the private shipowners. Indeed, the very fact



that the shipowners will have war profits and excess profits will in itself be sufficient evidence that they are prospering and do not need to be subsidized by the Government.

The SPEAKER. The time of the gentleman has expired.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER. The gentleman asks that the gentleman's time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVIS of Tennessee. There is another feature to which I wish to call attention—

Mr. WELTY. Before passing to that, the gentleman spoke about persons being permitted to invest their income taxes due the Government in these ships.

Mr. DAVIS of Tennessee. In their own ships.

Mr. WELTY. In their own ships, and after investing them in their own ships are they permitted to sell those ships to aliens under this bill?

Mr. DAVIS of Tennessee. Yes; with the consent of five members of the Shipping Board they can even sell to aliens the ships which they have purchased from the Government, and certain kinds of the Government ships can be sold direct to aliens upon certain conditions. I think that the provisions in this respect are entirely too liberal.

Mr. LINTHICUM. Will the gentleman point out the provision in the bill in regard to discriminating rates of which he was speaking?

Mr. DAVIS of Tennessee. I can not lay my hand on it right now—yes; I believe it is on pages 32 and 33 of the bill.

Now, on the question of subsidies—and I am aware that some favor ship subsidies and some do not—this bill commits us to a policy more than a subsidy. If you will turn to the top of page 2 of the bill you will note that, after it is declared to be our purpose and policy to sell these ships to private interests, the bill further provides:

And it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine.

I am heartily in favor of a great American merchant marine. I think that we ought to do much to foster and establish same; I am in favor of adopting any reasonable means, consistent with the general public interest, and involving a proper governmental function; but I do not think that we should, at least, without more careful consideration, definitely commit ourselves to a policy that we are going "to do whatever may be necessary to encourage and develop a merchant marine" owned by private citizens.

Mr. McDUFFIE. Will the gentleman yield?

Mr. CHINDBLOM. Will the gentleman yield?

Mr. WHITE of Maine. The gentleman does not mean to contend that that mere declaration of purpose writes anything into the law?

Mr. DAVIS of Tennessee. If it means anything, it means what it says, and if it does not mean anything, why is it in there? [Applause.]

Mr. WHITE of Maine. Because it is a declaration of purpose of what we provide.

Mr. DAVIS of Tennessee. It is a declaration of policy. I know it does not carry an appropriation, but it is a declaration of policy of this Congress, and it will be so treated by the Shipping Board and all those officials, and hereafter when other matters arise it will be contended that we have already settled that policy.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. DAVIS of Tennessee. I can not yield any further. As I was saying, I am in favor of a real American merchant marine, but I want it established and maintained for the service and protection of the American people [applause] and not in favor of any special interests. This Government has the ships, and I am in favor of selling these ships to private American interests at fair prices and under such conditions as will protect the interests of the public and insure a proper disposition and use of these ships. This bill is apparently constructed on the idea that the primary purpose of the establishment of a merchant marine is in order that the private shipping interests may reap rich rewards. However, my conception is that our purpose in establishing and maintaining a large merchant marine is to serve the American people and their great agricultural, commercial, and industrial interests; to carry our products to foreign marts throughout the world, and to bring back in exchange their commodities which we may desire to purchase; in other words, to afford adequate facilities of transportation and distribution from and to our shores.

One of the reasons that we want a merchant marine is in order that new lines may be established to all the ports in the

world where we can probably build up a trade with the other countries, and also to establish additional or supplemental lines when the present lines are inadequate. In fact, this bill itself expressly provides that investigation shall be made with that end in view, and lines established, either by the allocation of ships that may be sold or by lease or Government operation prior to sale. This purpose is twofold. In the first place, as suggested, it is to create a trade and provide for the transportation of our products to such ports and of their products to our ports. In the second place, the purpose of establishing such lines by lease or Government operation is to demonstrate that such lines are profitable, to the end that we can then sell ships to private interests when it shall have been found to be profitable. The Government can afford to experiment along that line when the private shipping interests would be unwilling to do so.

In this connection, I wish to call attention to how the present shipping trust and private interests succeeded in having their interests protected even against the interests of the Government and the people by the insertion of the following provision in this bill as reported:

That whenever the board shall determine, as provided in this act, that trade conditions warrant the establishment of a service or additional service under Government administration where a service is already being given by persons, citizens of the United States, the rates and charges for such Government service shall not be less than the cost thereof, including a proper interest and depreciation charge on the value of Government vessels and equipment employed therein.

Of course, if adequate service is already being given, there would be no reason or desire for establishing a supplemental line, the only reason for the establishment of such supplemental lines being in the event the existing service was inadequate to meet the requirements. However, according to this provision where there is any existing service, no matter how inadequate, the Government can not establish a new line except upon the conditions stated. Consequently this provision practically amounts to a prohibition against the establishment of Government lines in such cases, either by allocation, lease, or Government operation, because the case would be rare indeed where a new line established anywhere would from the beginning not only pay all operating expenses but also "a proper interest and depreciation charge on the value of Government vessels and equipment employed therein." In other words, in order to favor the private shipping interests and to avoid any competition for them, the public must go unserved, and the Government must lose an opportunity of using its ships to advantage while it owns them and at the same time creating opportunities for the sale thereof.

I do not mean to indicate that I think the Government should operate a line any great length of time without it paying the cost of operation. However, the general provision in the bill with regard to the operation of such lines as may be established by the Government is as follows:

The board shall operate vessels on such line until the business is developed, so that such vessels may be sold on satisfactory terms and the service maintained, or unless it shall appear within a reasonable time that such line can not be made self-sustaining.

I think that this rule should be applicable to all lines, and that no exception, such as that to which I have called attention, should be made in cases where there happens to be some character of existing service.

Mr. OLIVER. Did all of the conferees sign this conference report?

Mr. DAVIS of Tennessee. No; all of them did not sign this last conference report.

Mr. OLIVER. How many of the conferees declined to sign this report?

Mr. DAVIS of Tennessee. I am not prepared to state as to that. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Speaker, I desire to make a very brief statement in connection with this conference report. I was not one of the original conferees appointed upon the disagreement between the two Houses. Judge HARDY of Texas and Mr. LAZARO of Louisiana were the minority conferees. I was not present when they had the main discussion upon the differences which existed between the two Houses upon the provisions of this bill. I was appointed only yesterday afternoon as one of the conferees after the gentleman from Louisiana [Mr. LAZARO] had left the city. I have been deprived of the opportunity of conferring with these conferees upon the technical differences that have arisen and which are now submitted for the judgment of the House. But I desire to make this statement, especially to my Democratic colleagues upon this floor.

I am not urging any of my colleagues to vote for this bill, because I realize that we have had possibly an unfair oppor-

tunity to give it mature consideration. But it is very important, as it has been urged upon the Committee on the Merchant Marine and Fisheries ever since last summer, that the Congress should enact at this session certainly some legislation declaring the policy of Congress and the judgment of Congress with reference to the disposition of this merchant marine which we have built up at an expense to the taxpayers of this country of \$3,000,000,000. The bill which passed the House I regard as a very fine piece of legislation. That bill met almost the unanimous approval of the House, because there were only eight votes cast against it. The Committee on the Merchant Marine and Fisheries of the House in the meantime, after the passage of that bill, the main purpose of which was to declare the policy of the Congress and to put restrictions and limitations upon the power of the board as to the disposition of the merchant marine after it had passed our committee, took up various measures affecting the development and maintenance of an adequate merchant marine, and it reported some of those bills to Congress, and some of them had passed the House and been sent over to the Senate.

I think it is unfortunate that the different measures, one providing for the mortgages, and one for the maritime liens, and the one building up an insurance department, were not brought in as separate measures. But the Senate of the United States, doubtless under the stress and emergency of the short time at their disposal, undertook to compose all these different measures into this one bill, and the bill now presented by the conferees represents the aggregate disposition of these various features of legislation that were proposed for the building up of our merchant marine. I want to say, gentlemen, that it is my judgment that this bill is not subject to the grave objections and perils suggested by some gentlemen on this side of the House who have opposed it.

In my judgment, upon a fair consideration of all of the provisions of this bill, with the limited opportunities I have had to digest them, it is a reasonably good bill; and in view of the fact that the Shipping Board, especially Judge Payne, a man for whom I think every man in this House has a very high regard and the highest respect for his judgment and his honesty and his integrity—in view of the fact that he and the other members of the Shipping Board have been most insistent in urging upon our committee the passage of legislation of this character, not only declaring the policy of our Government, but setting out regulations under which they would be guided and controlled and restricted, not only in the sale of our merchant marine but in the building up of these great foreign trade routes, I think it should be passed.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield for a question?

Mr. BANKHEAD. I will be very glad to yield to the gentleman.

Mr. HUMPHREYS. The present Secretary of Commerce—  
The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. BANKHEAD. Mr. Speaker, may I have five minutes more?

Mr. GREENE of Massachusetts. I am sorry I have not the time.

Mr. ROWE. Mr. Speaker, I ask that the gentleman may have five minutes more, outside of the time arranged for.

The SPEAKER. The gentleman from New York asks unanimous consent that the gentleman from Alabama may have five minutes more. Is there objection?

Mr. CANNON. Mr. Speaker, I hope that the gentleman may have much more than that if he desires it. Make it 10 minutes or 15 minutes. We want to know about this bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.  
The SPEAKER. The gentleman from Alabama is recognized for five minutes.

Mr. BANKHEAD. I will be glad to yield to the gentleman from Mississippi.

Mr. HUMPHREYS. As to the present Secretary of Commerce, for a number of years chairman of the Committee on the Merchant Marine and Fisheries—

Mr. BANKHEAD. Judge Alexander—  
Mr. HUMPHREYS. Yes; Judge Alexander, a man thoroughly familiar with the questions involved—can the gentleman from Alabama state what his views are on this bill?

Mr. BANKHEAD. Unfortunately, the gentleman to whom the gentleman from Mississippi refers left Congress before we had considered all these aspects included in the present bill, but it was the judgment of the former chairman of this committee, the present distinguished Secretary of Commerce, that

the House bill which we passed, and which is substantially incorporated in the first features of the pending bill, was a very fine piece of legislation, and it met with his hearty and entire approval; and in fact he very largely framed with his own hand the third section of the bill, which definitely declared the policy of our Government with reference to the disposition of these ships.

Mr. HUMPHREYS. I have been told to-night that the Secretary of Commerce has stated that he was in favor of this bill just as it is now, and has told Members of the House that if he were here, he would vote for it. I wanted to know if the gentleman from Alabama could verify that statement.

Mr. BANKHEAD. I regret I have not had any recent conversation with him.

Mr. EDMONDS. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. EDMONDS. The gentleman also knows that Judge Alexander had a hand in all the legislation that was passed through the House and which we are incorporating in this bill.

Mr. BANKHEAD. He had.

Mr. RUBEY rose.

Mr. BANKHEAD. Now I yield to the gentleman from Missouri.

Mr. RUBEY. Mr. Speaker, I will say to the gentleman from Alabama—and I do not think I shall betray any confidence in doing so—that I have just talked with Secretary Alexander, and he tells me that from his information as to this bill, while there are features in it to which he objects, he believes, taking it as a whole, that I would be justified in voting for it.

I asked him for the purpose of informing myself as to this bill and as to whether or not I should give it my support, and in that conversation he stated that if he were here he would vote for it, in the hope that at some future meeting of the Congress these objectionable features might be corrected by legislation. [Applause.]

Mr. BANKHEAD. I am very glad to have that statement, because I am sure that this House knows of no man in whose judgment in matters affecting the merchant marine they have greater confidence than our former colleague, Judge Alexander, of Missouri.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. RAYBURN. What is the tax-exemption feature of this bill?

Mr. BANKHEAD. The tax-exemption feature of this bill, as I understand it, is that they shall not be exempted absolutely from the payment of the income tax, but that they shall be given an allowance on the income tax with the understanding that an amount equal to that shall be invested in new ships.

Mr. RAYBURN. That was the question I wanted to come to. I will ask my friend as a lawyer what he thinks of the legality of an exemption from a tax with the condition imposed that the money that is brought back to the concern in the exemption is to be expended in a certain way? I must say that this is a stumblingblock to me in this legislation.

Mr. BANKHEAD. I will say very frankly to the gentleman that I have not given that phase of it any consideration.

Mr. YATES. Mr. Speaker, it is a joke and a farce to try to discuss the bill with everybody talking at once. We can not hear anything.

Mr. RAYBURN. I will say to my friend that to my mind that raises a most serious question as to the legality of this act.

Mr. BANKHEAD. Possibly that might be a subject of doubt as to its constitutionality. I am not prepared to make a statement one way or the other upon that phase of it, because I have not given it mature consideration from that aspect, the question having not been heretofore raised.

Mr. OLIVER. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. OLIVER. Is that exception limited to profits received from the sale of ships purchased years ago?

Mr. BANKHEAD. Under the general provisions of the income-tax law.

Mr. OLIVER. Under the general provisions of the income-tax law?

Mr. BANKHEAD. Yes.

Mr. WELTY. Under what section of the bill is the tax provision?

The SPEAKER. The time of the gentleman has expired.

Mr. BLANTON. I ask that the gentleman have three minutes more.

Mr. BANKHEAD. I do not care for any more time.

Mr. BLANTON. I should like to ask the gentleman a question.

The SPEAKER. The time of the gentleman has expired.



Mr. GREENE of Massachusetts. I yield the remainder of my time, which I understand to be eight minutes, to the gentleman from New York [Mr. ROWE].

Mr. BLANTON. Will the gentleman from New York yield for a question?

Mr. ROWE. I have only eight minutes, and I should like to explain the provisions of the conference report first.

Mr. BLANTON. I have not had any time. I should like to ask the gentleman a question.

Mr. ROWE. All right.

Mr. BLANTON. Why is it that in the substitute for Senate amendment 132, as shown on page 12 of the report, Alaska was excepted from the provisions of this bill?

Mr. EDMONDS. Alaska was not, but the Yukon is.

Mr. BLANTON. Alaska is particularly mentioned.

Mr. ROWE. Simply because of the fact that they are dependent in a certain measure on English ships there, and will have to be for some years to come.

Mr. BLANTON. Then this is a subsidy in behalf of English ships, so far as Alaska is concerned?

Mr. ROWE. No; the gentleman is wrong. It leaves the Yukon free to American and English ships alike.

Mr. Speaker, there has been a good deal said here to-night in reference to the sale of ships, and one would think from hearing the discussion, if he had just come in here, that there had been a change in the authority given the Shipping Board as to the sale of ships. The only change has been to restrict the sale of ships, to put limits on the Shipping Board which there were not in the former law. Let me read to you from the shipping act:

All ships constructed, purchased, or requisitioned under authority herein or hereafter, or heretofore or hereafter acquired by the United States shall be managed, operated, and disposed of as the President may direct.

All that authority has been given to the Shipping Board by the President of the United States. There is no limitation.

If they wished to do so to-day, the Shipping Board could sell without any regard to the value of the ships. They have too much authority. Our committee felt that their authority was altogether too great. Let me read the words in this bill.

Mr. GREENE of Massachusetts. Will the gentleman yield to me?

Mr. ROWE. Certainly.

Mr. GREENE of Massachusetts. Was not that law which the gentleman has quoted passed under the administration of Woodrow Wilson by a Democratic Congress and approved by him?

Mr. ROWE. It was.

Mr. GREENE of Massachusetts. The Shipping Board acts were framed by Judge ALEXANDER's committee, a Democratic committee, and passed by a Democratic Congress.

Mr. ROWE. That is correct. It was passed under their administration.

Now, in the first place the committee felt that too great a leeway was perhaps given as to the length of the mortgage. In the House bill it was 15 years. In the Senate bill it was 20 years. The conference committee put it back to 15 years.

Now, listen to some of the things that they must take into consideration. If you will turn to page 9 of the bill and examine it you will see that there are some very carefully drawn restrictions as to the value of these ships and as to what they will sell for. In selling the ships they must take into account the prevailing domestic and foreign market price, the available supply, and the demand for ships, existing freight rates and prospects of their maintenance, the cost of constructing vessels of similar type under prevailing conditions, as well as the cost of construction or purchase price of vessels already sold.

Now, Mr. Speaker, having just mentioned the limitations which we put upon the sale of these ships, let me go over the whole bill very rapidly as to what it accomplishes.

Mr. Speaker, the first provision of importance in this bill is the reorganization of the board. It increases the number to seven and increases the salary to \$12,000 a year. All the commissioners of other boards are paid \$12,000 a year salary. We have felt that this work, which was very limited in the beginning, would take only a part of their time, and the original law was so framed, but the work has now become so extensive that the commissioners must give all of their time to it.

Mr. McKEOWN. Will the gentleman yield?

Mr. ROWE. I will.

Mr. McKEOWN. Why was it that the appointment of the commissioners was limited to certain parts of the United States as against other portions?

Mr. ROWE. The House did not put that provision in the bill. The committee discussed it for a long time. The restrictions put in are the results of almost the unanimous demand of the Senate

and a great many Members of the House. It gives two to the Atlantic coast, two to the Pacific coast, one to the Gulf of Mexico, one to the Great Lakes, and one to the interior. I think you will find, if you look it over, that that is a fair apportionment.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. ROWE. I will.

Mr. WHITE of Maine. Is not the purpose to spread the representation on the Shipping Board throughout the country rather than to have it bunched in any one locality?

Mr. ROWE. Yes; it will be much more representative of the whole Nation than any board so far appointed.

Mr. RAYBURN. Will the gentleman yield?

Mr. ROWE. Certainly.

Mr. RAYBURN. I want the gentleman's judgment as to the supply of ships as compared with the commerce of the world.

Mr. ROWE. In 1914 there were about 49,000,000 gross tons of shipping in the world. There are now something over 52,000,000 tons, according to the English statistics.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. McDUFFIE. Mr. Speaker, I ask that the gentleman's time be extended 10 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the time of the gentleman from New York be extended 10 minutes. Is there objection?

There was no objection.

Mr. McKEOWN. I want to ask the gentleman, before he leaves this part, what about this \$25,000,000 that is invested each year in a revolving fund. In that program how much money each year will be involved—how much will the taxpayers have to pay?

Mr. ROWE. None of it comes direct from the taxpayers; it comes out of the sale of the ships. The gentleman will readily recall that the United States built most of these ships during the war and that they are almost entirely freighters, and the Shipping Board wants to build some ships for the South American and eastern trade that would carry part passengers and part freight. They insisted on a much larger sum—twice that sum. The conferees reduced it from \$50,000,000 to \$25,000,000 for five years. We changed the plan so that the Shipping Board can not build ships, but can loan on mortgage covering ships being constructed by private parties not to exceed two-thirds of the cost.

Mr. NOLAN. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. NOLAN. The gentleman speaks about passenger and freight carrying ships. Those ships would be 15,000 tons, and the fact is that we can only build about 8 of them—at the outside 10—for \$25,000,000 at the present prices, can we?

Mr. ROWE. The plan is to build large, high-speed ships. It would not mean very many ships, unless the people building the ships put in a great deal of money.

Mr. McDUFFIE. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. McDUFFIE. The gentleman from Tennessee said that certain parts of the bill were objectionable on account of the discriminatory freight rates that were provided for by consent of the Interstate Commerce Commission. I wish the gentleman would explain that provision.

Mr. ROWE. Nearly every country in the world gives special rates on the railroads of that country for export trade. For instance, if goods were started at Chicago and going via Philadelphia for Europe, they would get something less in freight rates allowed by the Interstate Commerce Commission.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. ROWE. Certainly.

Mr. CLARK of Missouri. If we are going to sell what ships we have, what is the sense of building any more?

Mr. ROWE. We have been selling some ships, but we are not selling them fast enough. This bill stops the Shipping Board from building. The only reason for assisting others to build is to get an entirely different type. We have no passenger ships running to South America. I say none; within the last two weeks one company has begun the operation of ships very limited in size to South America. The idea is that they want ships built for the South American trade of fifteen or eighteen thousand tons to carry part passenger and part freight; and that would bring people from South American ports to the United States as rapidly as they can be carried to Great Britain.

Mr. CLARK of Missouri. Would not the private shipbuilders build these ships?

Mr. ROWE. They are building them now, but not as rapidly as the Shipping Board wishes. They say that passenger vessels do not pay as well as freight, and the only way they will use this

money is to encourage the building of the kind of ships necessary to complete our merchant marine.

Mr. CLARK of Missouri. Does the gentleman think that because a man happens to live on the Atlantic seaboard or the Gulf of Mexico, or the Pacific seaboard, or the Great Lakes, he knows anything more about shipping than a man who lives in Utah or Nebraska?

Mr. ROWE. The fact is that one of the best men we have ever had on the Merchant Marine and Fisheries Committee came from Missouri.

Mr. CLARK of Missouri. And that demonstrates the fact that there is no sense in locating these men on the seaboard.

Mr. ROWE. The House committee has always believed the matter should be left with the President, but the fact is that the President has appointed members of the present Shipping Board who do not represent all sections of our country.

Mr. GARRETT. Mr. Speaker, will the gentleman yield?

Mr. ROWE. Certainly.

Mr. GARRETT. Is there any estimate as to the amount that the Treasury will be deprived of by this provision in here for exemption, or is it possible to make an estimate?

Mr. ROWE. No. The whole sum would be for five years, five times the \$25,000,000, and it is in the nature of a revolving fund, which comes out of sales or rentals.

Mr. GARRETT. I am speaking of the exemption that is given on the income tax.

Mr. ROWE. I did not understand the gentleman.

Mr. GARRETT. Is it possible to make an estimate on that?

Mr. ROWE. No. The Treasury Department was consulted with reference to that, and drew the provision stricken out here to-day on a point of order. It would not be very great, because the construction of ships is a profitable business, and we get a good deal of income from the shipbuilding, so that while you would take it off on one side you would add it to the other. I can say, however, in reference to the question just asked, that Great Britain has followed recently this policy, and has done the very same thing that we are proposing in this bill.

Mr. BEE. Mr. Speaker, will the gentleman yield?

Mr. ROWE. I do.

Mr. BEE. I wanted to ask the gentleman from New York with reference to a provision I find refunding to the city of Hoboken certain amounts of money. Is not that a very large amount, and is it money collected from the city of Hoboken that ought not to have been collected?

Mr. ROWE. It was not collected from the city of Hoboken. The German docks at the city of Hoboken were taken over during the war. They are very expensive property. They constitute, as I understand it, about one-fourth or one-sixth of the assessed value of the whole city of Hoboken.

Mr. EAGAN. About one-twelfth, I would say to the gentleman.

Mr. ROWE. I thank the gentleman. The conference committee felt a great deal of sympathy for the city of Hoboken and its representative here [Mr. EAGAN], but we felt that as there were other pieces of property that might be in like circumstances all over the country, that in this bill the matter should not be taken up, but it will be seen that when you come to take away one-twelfth of the income of a city by taxation you strike a tremendous blow at that city. That is the case with the city of Hoboken.

Mr. BEE. What was in my mind, I will say to the gentleman, was exactly the suggestion that he made that these conditions might exist in other places in the United States. I wondered why the city of Hoboken was selected.

Mr. ROWE. I think it is one of the greatest sufferers.

Mr. EAGAN. Mr. Speaker, will the gentleman yield?

Mr. ROWE. I yield.

Mr. EAGAN. The situation with regard to Hoboken is paralleled in no other place in the United States. Hoboken is less than a mile square and has about 70,000 people, is fully developed, and has no opportunity to recoup itself for the enormous loss it will sustain if a way is not found whereby the little city of Hoboken may get the \$400,000 now due to it in back taxes on this very valuable pier property as well as the taxes for this and succeeding years. Unless some legislation to this end is enacted at the coming session of Congress, the city will be perilously near the point of bankruptcy. I felt Hoboken's case in the matter of these pier taxes was so eminently just that the conferees would have no difficulty in agreeing to keep the item in the bill.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. GREENE of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. CANNON], may be allowed five minutes to speak on the bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the gentleman from Illinois have five minutes. Is there objection?

There was no objection.

Mr. CANNON. Mr. Speaker, I am anxious to vote for this bill if I can do so with safety, if it will not harm the present conditions, but more especially if it will improve the present conditions. As was stated, we have \$3,000,000,000 worth of these ships. If they lie in the harbors, they will deteriorate, and I apprehend that the price of shipbuilding will decrease all over the world instead of increasing; so from that standpoint alone I would be in favor of selling these ships as rapidly as possible, because the deterioration will be great, as I am informed.

I am not a shipbuilder. I live away 2,000 miles, 1,200, 1,500 [laughter] from the seaboard. Now, then, I want an American merchant marine. [Applause.] We can not get it unless we follow a policy that will enable us with greater wages on the world's highway to sail ships. If we get a merchant marine we have to contrive some means to make up the difference between what it costs the world to sail on the world's highway and what it costs us. Now, I have been in doubt and I expect I know as much about this bill as most of you do. [Applause.] But what I do not know about it would probably make several books. [Laughter.] But I do not see, after listening to all that has been said, how we can make the condition any worse than it is now, so I have come to the conclusion that I am going to vote for this conference report. [Applause.]

The opinion has been stated here to-night, and I have no doubt correctly stated, of the head of the Department of Commerce and that has something of influence with me. He is a member of the party upon that side, a most intelligent man, and I have great confidence in his honesty, and I am satisfied if we are to have anything done with these ships, deteriorating as they are, that we ought to try to have it done now. Now, that is about all I want to say. Oh, I could talk an hour about this, about what has been done heretofore, how we have been driven from the sea because we could not compete with the world, but I will not attempt to do it. One thing there is with this bill, and that is it protects the coastwise trade of the United States. [Applause.] And we would have been in purgatory if we had not had the coastwise trade prior to the war, because we did have some ships in the coastwise trade and some shipbuilding establishments on the coasts of the United States. I thank the House. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I move the previous question on the adoption of the conference report.

The question was taken.

The SPEAKER. The ayes seem to have it.

Mr. CLARK of Missouri. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Missouri demands the yeas and nays. Obviously a sufficient number; and the yeas and nays are ordered.

The question was taken; and there were—yeas 166, nays 107, answered "present" 2, not voting 152, as follows:

#### YEAS—166.

Ackerman	Focht	Klecza	O'Connor
Andrews, Md.	Foster	Knudson	Ogden
Andrews, Nebr.	French	Kraus	Olney
Ashbrook	Garland	Kreider	Osborne
Aswell	Glynn	Lea, Calif.	Platt
Bankhead	Good	Leibach	Radcliffe
Barbour	Goodykoontz	Little	Raker
Bee	Graham, Ill.	Luce	Ramsey
Begg	Green, Iowa	Lufkin	Reber
Benson	Greene, Mass.	Luhling	Reed, N. Y.
Bland, Ind.	Greene, Vt.	McDuffie	Reed, W. Va.
Bland, Va.	Hadley	McFadden	Ricketts
Bowers	Hardy, Colo.	McKenzie	Robison, Ky.
Brooks, Pa.	Harrison	McLaughlin, Mich.	Rogers
Brumbaugh	Hawley	McLaughlin, Nebr.	Rowe
Burdick	Hays	McPherson	Rubey
Burroughs	Hersey	MacGregor	Sanders, Ind.
Byrnes, S. C.	Hickey	Magee	Sanders, N. Y.
Campbell, Kans.	Hicks	Major	Sanford
Campbell, Pa.	Hill	Mann, S. C.	Schall
Cannon	Hoch	Mapes	Scott
Chindblom	Holland	Martin	Sells
Christopherson	Howard	Mays	Shreve
Classon	Hull, Iowa	Michener	Sinnott
Cramton	Humphreys	Miller	Stevenson
Crowther	Husted	Minahan, N. J.	Strong, Kans.
Dallinger	James	Monahan, Wis.	Summers, Wash.
Davis, Minn.	Jefferis	Mondell	Swope
Devison	Johnson, S. Dak.	Montague	Taylor, Colo.
Dickinson, Iowa	Johnson, Wash.	Moore, Ohio	Temple
Dominick	Jones, Pa.	Moore, Ind.	Thompson
Dunbar	Kahn	Morgan	Tilson
Echols	Kearns	Morin	Timberlake
Edmonds	Kelly, Pa.	Mott	Tincher
Emerson	Kendall	Mudd	Tinkham
Esch	Kennedy, Iowa	Murphy	Towner
Evans, Mont.	King	Newton, Mo.	Vaile
Evans, Nebr.	Kinkaid	Nolan	Venable



Walsh  
Walters  
Wason  
Watson

Welty  
Whaley  
Wheeler  
White, Kans.

White, Me.  
Wilson, La.  
Winslow  
Wood, Ind.

Woods, Va.  
Zihlman

## NAYS—107.

Almon  
Ayres  
Babka  
Barkley  
Bell  
Black  
Bland, Mo.  
Blanton  
Box  
Brand  
Briggs  
Browne  
Burke  
Byrns, Tenn.  
Candler  
Carew  
Casey  
Clark, Mo.  
Cleary  
Collier  
Connally  
Crisp  
Cullen  
Davey  
Davis, Tenn.  
Donovan  
Dooling

Doughton  
Eagan  
Fields  
Fisher  
Flood  
Gallagher  
Gallivan  
Gandy  
Ganly  
Gard  
Garrett  
Goldfogle  
Goodwin, Ark.  
Griffin  
Hamill  
Huddleston  
Hudspeth  
Hull, Tenn.  
Igoe  
Jacoway  
Johnson, Ky.  
Johnston, N. Y.  
Jones, Tex.  
Kincheloe  
Lanham  
Lankford  
Larsen

Lee, Ga.  
Leshner  
Linthicum  
Lonerger  
McAndrews  
McGlennou  
McKeown  
McKinley  
McLane  
MacCrate  
Maher  
Mead  
Milligan  
Moon  
Moore, Va.  
Neely  
Nelson, Mo.  
O'Connell  
Oldfield  
Oliver  
Overstreet  
Padgett  
Park  
Parrish  
Pell  
Phelan  
Quin

Rainey, Ala.  
Rainey, H. T.  
Rainey, J. W.  
Rayburn  
Riordan  
Robinson, N. C.  
Romjue  
Rose  
Rouse  
Rowan  
Sabath  
Siegel  
Sims  
Smith, N. Y.  
Steagall  
Summers, Tex.  
Tague  
Taylor, Ark.  
Thomas  
Upshaw  
Vinson  
Welling  
Wilson, Pa.  
Wingo  
Wright  
Young, Tex.

## ANSWERED "PRESENT"—2.

Watkins

Yates

## NOT VOTING—152.

Anderson  
Anthony  
Bacharach  
Baer  
Benham  
Blackmon  
Boies  
Booher  
Brierson  
Britten  
Brooks, Ill.  
Buchanan  
Butler  
Caldwell  
Cantrill  
Caraway  
Carss  
Carter  
Clark, Fla.  
Coady  
Cole  
Cooper  
Copley  
Costello  
Crago  
Currie, Mich.  
Curry, Calif.  
Dale  
Darrow  
Dempsey  
Dent  
Dewalt  
Dickinson, Mo.  
Doremus  
Dowell  
Drane  
Drewry  
Dunn

Dupré  
Eagle  
Elliot  
Ellsworth  
Elston  
Evans, Nev.  
Fairfield  
Ferris  
Fess  
Fordney  
Frear  
Freeman  
Fuller, Ill.  
Fuller, Mass.  
Garner  
Godwin, N. C.  
Goodall  
Gould  
Graham, Pa.  
Griest  
Hamilton  
Hardy, Tex.  
Harrell  
Hastings  
Haugen  
Hefflin  
Hernandez  
Hersman  
Hoey  
Houghton  
Hulings  
Hutchinson  
Ireland  
Johnson, Miss.  
Juul  
Keller

Kelley, Mich.  
Kennedy, R. I.  
Kettner  
Kiess  
Kitchin  
Lampert  
Langley  
Layton  
Lazaro  
Longworth  
McArthur  
McClintic  
McCulloch  
McKinley  
Madden  
Mann, Ill.  
Mansfield  
Mason  
Merritt  
Mooney  
Nelson, Wis.  
Newton, Minn.  
Nicholls  
Paige  
Parker  
Peters  
Porter  
Pou  
Purnell  
Ramseyer  
Randall, Calif.  
Randall, Wis.  
Reavis  
Rhodes  
Riddick  
Rodenberg  
Rucker  
Sanders, La.

Scully  
Sears  
Sherwood  
Sinclair  
Sisson  
Slomp  
Small  
Smith, Idaho  
Smith, Ill.  
Smith, Mich.  
Smithwick  
Snell  
Snyder  
Stedman  
Steele  
Steenerson  
Stephens, Miss.  
Stephens, Ohio  
Stiness  
Stoll  
Strong, Pa.  
Sullivan  
Sweet  
Taylor, Tenn.  
Tillman  
Treadway  
Vare  
Vestal  
Voigt  
Volstead  
Ward  
Weaver  
Webster  
Williams  
Wilson, Ill.  
Wise  
Woodyard  
Young, N. Dak.

Mr. KIESS with Mr. SHERWOOD.  
Mr. WILLIAMS with Mr. SCULLY.  
Mr. VOIGT with Mr. JOHNSON of Mississippi.  
Mr. NELSON of Wisconsin with Mr. SMALL.  
Mr. TREADWAY with Mr. BOOHER.  
Mr. SWEET with Mr. SISSON.  
Mr. STEPHENS of Ohio with Mr. NICHOLLS.  
Mr. HUTCHINSON with Mr. STOLL.  
Mr. REAVIS with Mr. DREWRY.  
Mr. DEMPSEY with Mr. CANTRILL.  
Mr. ANTHONY with Mr. MOONEY.  
Mr. MASON with Mr. POU.  
Mr. PORTER with Mr. DEWALT.  
Mr. MADDEN with Mr. DICKINSON of Missouri.  
Mr. GRIEST with Mr. HARDY of Texas.  
Mr. FORDNEY with Mr. HEFFLIN.  
Mr. MANN of Illinois with Mr. GARNER.  
Mr. FESS with Mr. CARAWAY.  
Mr. GOODALL with Mr. HERSMAN.  
Mr. STEENPERSON with Mr. COADY.  
Mr. FAIRFIELD with Mr. GODWIN of North Carolina.  
Mr. FREEMAN with Mr. BRINSON.  
Mr. NEWTON of Minnesota with Mr. HOEY.  
Mr. MCKINLEY with Mr. EAGLE.  
Mr. LONGWORTH with Mr. STEDMAN.  
Mr. FREAR with Mr. SMITHWICK.  
Mr. DARROW with Mr. MANSFIELD.  
Mr. CRAGO with Mr. STEPHENS of Mississippi.  
Mr. CURRIE of Michigan with Mr. DOREMUS.  
Mr. DOWELL with Mr. DUPRÉ.  
Mr. BUTLER with Mr. DENT.  
Mr. BACHARACH with Mr. BLACKMON.  
Mr. COOPER with Mr. BUCHANAN.

The result of the vote was announced as above recorded.  
The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. CLARK of Missouri. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 120, answered "present" 4, not voting 158, as follows:

## YEAS—145.

Ackerman	Goodykoontz	McDuffie	Robison, Ky.
Andrews, Md.	Graham, Ill.	McFadden	Rogers
Andrews, Nebr.	Greene, Mass.	McKenzie	Rowe
Ashbrook	Greene, Vt.	McLaughlin, Mich.	Rubey
Aswell	Hadley	McLaughlin, Nebr.	Sanders, Ind.
Bankhead	Hardy, Colo.	McPherson	Sanders, N. Y.
Bee	Harrison	MacGregor	Sanford
Benson	Hawley	Magee	Scott
Bland, Ind.	Hersey	Mann, S. C.	Shreve
Bland, Mo.	Hickey	Mapes	Sinnott
Bland, Va.	Hicks	Martin	Smith, Idaho
Bowers	Hill	Mays	Steenerson
Brooks, Pa.	Hoch	Michener	Stevenson
Burdick	Holland	Miller	Strong, Kans.
Burroughs	Howard	Monahan, Wis.	Summers, Wash.
Campbell, Kans.	Hull, Iowa	Mondell	Swope
Campbell, Pa.	Humphreys	Montague	Temple
Chindblom	Husted	Moore, Ohio	Thompson
Classon	Jeffers	Morgan	Tilson
Crago	Johnson, Wash.	Morin	Timberlake
Cramton	Jones, Pa.	Mott	Tincher
Crowther	Kahn	Mudd	Towner
Dallinger	Kearns	Murphy	Valle
Davis, Minn.	Kendall	Newton, Mo.	Wason
Dickinson, Iowa	Kennedy, Iowa	Nolan	Watson
Dominick	King	Ogden	Welling
Dunbar	Knutson	Olney	Whaley
Echols	Kreider	Osborne	Wheeler
Edmonds	Langley	Overstreet	White, Me.
Emerson	Lea, Calif.	Platt	Wilson, La.
Esch	Lee, Ga.	Radcliffe	Winslow
Evans, Nebr.	Lehlbach	Raker	Woods, Va.
Foster	Leshner	Ramsey	Wright
French	Little	Reber	Zihlman
Garland	Luce	Reed, N. Y.	
Glynn	Lufkin	Reed, W. Va.	
	Luhning	Ricketts	

## NAYS—120.

So the previous question was ordered.  
The Clerk announced the following pairs:  
On this vote:  
Mr. FULLER of Massachusetts (for) with Mr. KELLER (against).  
Mr. RANDALL of Wisconsin (for) with Mr. CALDWELL (against).  
Mr. LAMPERT (for) with Mr. SULLIVAN (against).  
Mr. LAZARO (for) with Mr. WATKINS (against).  
Until further notice:  
Mr. RHODES with Mr. TILLMAN.  
Mr. SNYDER with Mr. CARTER.  
Mr. COLE with Mr. HAYDEN.  
Mr. HERNANDEZ with Mr. HASTINGS.  
Mr. ELSTON with Mr. DRANE.  
Mr. GRAHAM of Pennsylvania with Mr. STEELE.  
Mr. DALE with Mr. EVANS of Nevada.  
Mr. RODENBERG with Mr. SANDERS of Louisiana.  
Mr. ELLIOTT with Mr. CARSS.  
Mr. SLEMP with Mr. RANDALL of California.  
Mr. HARRELD with Mr. MCCLINTIC.  
Mr. LANGLEY with Mr. CLARK of Florida.  
Mr. PURNELL with Mr. SEARS.  
Mr. SMITH of Michigan with Mr. WISE.  
Mr. PAIGE with Mr. RUCKER.  
Mr. MCARTHUR with Mr. WEAVER.  
Mr. SNELL with Mr. KETTNER.  
Mr. DUNN with Mr. FERRIS.  
Mr. IRELAND with Mr. KITCHIN.

Almon	Byrns, Tenn.	Doughton	Hays
Ayres	Candler	Eagan	Huddleston
Babka	Carew	Evans, Mont.	Hudspeth
Barbour	Casey	Fields	Hull, Tenn.
Barkley	Christopherson	Fisher	Igoe
Begg	Clark, Mo.	Flood	Jacoway
Bell	Cleary	Gallagher	James
Benham	Collier	Gallivan	Johnson, Ky.
Black	Connally	Gandy	Johnson, S. Dak.
Blanton	Crisp	Ganly	Johnston, N. Y.
Box	Cullen	Gard	Jones, Tex.
Brand	Davey	Garrett	Kelly, Pa.
Briggs	Davis, Tenn.	Goldfogle	Kincheloe
Browne	Donovan	Goodwin, Ark.	Klecza
Buchanan	Dooling	Griffin	Kraus
Burke	Doremus	Hamill	Lanham

Lankford	Moon	Rainey, Ala.	Tague
Larsen	Moore, Va.	Rainey, H. T.	Taylor, Ark.
Linthicum	Neely	Rainey, J. W.	Thomas
Loneragan	Nelson, Mo.	Rayburn	Tinkham
McGlennon	O'Connell	Riordan	Upshaw
McKeown	O'Connor	Romjue	Venable
McKinstry	Oldfield	Rose	Vinson
McLane	Oliver	Rouse	Walters
MacCrater	Padgett	Rowan	Welty
Maher	Park	Sabath	Willson, Pa.
Major	Parrish	Siegel	Wingo
Mansfield	Pell	Sims	Wood, Ind.
Mead	Phelan	Smith, N. Y.	Yates
Minahan, N. J.	Quin	Steagall	Young, Tex.

## ANSWERED "PRESENT"—4.

McAndrews	Schall	Sumners, Tex.	Watkins
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## NOT VOTING—158.

Anderson	Eagle	Kettner	Sells
Anthony	Elliott	Kiess	Sherwood
Bacharach	Ellsworth	Kinkaid	Sinclair
Baer	Elston	Kitchin	Sisson
Blackmon	Evans, Nev.	Lampert	Slomp
Boies	Fairfield	Layton	Small
Booher	Ferris	Lazaro	Smith, Ill.
Brinson	Fess	Longworth	Smith, Mich.
Britten	Fordney	McArthur	Smithwick
Brooks, Ill.	Frear	McClintic	Snell
Brumbaugh	Freeman	McCulloch	Snyder
Butler	Fuller, Ill.	McKinley	Stedman
Byrnes, S. C.	Fuller, Mass.	Madden	Steele
Caldwell	Garner	Mann, Ill.	Stephens, Miss.
Cannon	Godwin, N. C.	Mason	Stephens, Ohio
Cantrill	Good	Merritt	Stiness
Caraway	Goodall	Milligan	Stoll
Carss	Gould	Mooney	Strong, Pa.
Carter	Graham, Pa.	Moore, Ind.	Sullivan
Clark, Fla.	Green, Iowa	Nelson, Wis.	Sweet
Coady	Griest	Newton, Minn.	Taylor, Colo.
Cole	Hamilton	Nicholls	Taylor, Tenn.
Cooper	Hardy, Tex.	Paige	Tillman
Copley	Harrell	Parker	Treadway
Costello	Hastings	Peters	Vare
Currie, Mich.	Haugen	Porter	Vestal
Curry, Calif.	Hayden	Pou	Voigt
Dale	Heflin	Purnell	Volstead
Darrow	Hernandez	Ramseyer	Walsh
Dempsey	Hersman	Randall, Calif.	Ward
Denison	Hoy	Randall, Wis.	Weaver
Dent	Houghton	Reavis	Webster
Dewalt	Hullings	Rhodes	White, Kans.
Dickinson, Mo.	Hutchinson	Riddick	Williams
Dowell	Ireland	Robinson, N. C.	Wilson, Ill.
Drane	Johnson, Miss.	Rodenberg	Wise
Drewry	Juul	Rucker	Woodyard
Dunn	Keller	Sanders, La.	Young, N. Dak.
Dupré	Kelley, Mich.	Scully	
Dyer	Kennedy, R. I.	Sears	

So the conference report was agreed to.

Mr. BLAND of Indiana. Mr. Speaker, how am I recorded?

The SPEAKER. As voting "yea."

Mr. BLAND of Indiana. Is the Mr. BLAND of Missouri recorded?

The SPEAKER. Yes.

Mr. BLAND of Indiana. I may have voted for both of us, but he said if so he would stand for it.

Mr. McLANE. Mr. Speaker, how am I recorded? I did not hear my name called.

The SPEAKER. Was the gentleman present and listening?

Mr. McLANE. No.

The SPEAKER. Then the gentleman can not qualify.

Mr. SUMNERS of Texas. Mr. Speaker, I voted "aye." I am paired with the gentleman from Louisiana [Mr. DUPRÉ]. I desire to withdraw my vote and vote "present."

Mr. WALSH. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. WALSH. I was not present in the Hall, listening.

The SPEAKER. Then the gentleman can not qualify. Gentlemen should not ask how they are recorded unless they have reason to think that they have not been recorded. It takes the time of the House. The only ones who have the right to appear for that purpose are those who voted or wish to change their votes.

Mr. McLANE. Mr. Speaker, I was present in the Hall.

The SPEAKER. Was the gentleman present in the Hall, listening?

Mr. McLANE. Yes, sir.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. McLANE, and he answered "nay."

The Clerk announced the following additional pairs:

On the vote:

Mr. CANNON (for) with Mr. McANDREWS (against).

Mr. FULLER of Massachusetts (for) with Mr. KELLER (against).

Mr. RANDALL of Wisconsin (for) with Mr. CALDWELL (against).

Mr. LAMPERT (for) with Mr. SULLIVAN (against).

Mr. LAZARO (for) with Mr. WATKINS (against).

Mr. DUPRÉ (for) with Mr. SUMNERS of Texas (against).

Until further notice:

Mr. WALSH with Mr. TAYLOR of Colorado.

Mr. GOOD with Mr. STEPHENS of Mississippi.

Mr. STINESS with Mr. MILLIGAN.

Mr. DARROW with Mr. COADY.

Mr. DENISON with Mr. ROBINSON of North Carolina.

Mr. STRONG of Pennsylvania with Mr. CLARK of Florida.

Mr. HAUGEN with Mr. BRUMBAUGH.

Mr. COOPER with Mr. BYRNES of South Carolina.

The result of the vote was announced as above recorded.

On motion of Mr. GREENE of Massachusetts, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 11984) to increase the force and salaries in the Patent Office, and for other purposes, had requested a conference with the House, and had appointed Mr. NORRIS, Mr. BRANDEGER, and Mr. KIRBY as the conferees on the part of the Senate.

The message also announced that the Senate had passed the bill (S. 2707) for the relief of Ellen M. Willey, widow of Owen S. Willey, in which the concurrence of the House of Representatives was requested.

## VETO MESSAGE—THE BUDGET BILL.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I am returning without my signature H. R. 9783, "An act to provide a national budget system, an independent audit of Government accounts, and for other purposes." I do this with the greatest regret. I am in entire sympathy with the objects of this bill and would gladly approve it but for the fact that I regard one of the provisions contained in section 303 as unconstitutional. This is the provision to the effect that the comptroller general and the assistant comptroller general, who are to be appointed by the President with the advice and consent of the Senate, may be removed at any time by a concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. The effect of this is to prevent the removal of these officers for any cause except either by impeachment or a concurrent resolution of Congress. It has, I think, always been the accepted construction of the Constitution that the power to appoint officers of this kind carries with it, as an incident, the power to remove. I am convinced that the Congress is without constitutional power to limit the appointing power and its incident, the power of removal derived from the Constitution.

The section referred to not only forbids the Executive to remove these officers but undertakes to empower the Congress by a concurrent resolution to remove an officer appointed by the President with the advice and consent of the Senate. I can find in the Constitution no warrant for the exercise of this power by the Congress. There is certainly no express authority conferred, and I am unable to see that authority for the exercise of this power is implied in any express grant of power. On the contrary, I think its exercise is clearly negated by section 2 of Article II. That section, after providing that certain enumerated officers and all officers whose appointments are not otherwise provided for shall be appointed by the President with the advice and consent of the Senate, provides that the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of department. It would have been within the constitutional power of the Congress, in creating these offices, to have vested the power of appointment in the President alone, in the President with the advice and consent of the Senate, or even in the head of a department. Regarding as I do the power of removal from office as an essential incident to the appointing power, I can not escape the conclusion that the vesting of this power of removal in the Con-



gress is unconstitutional and therefore I am unable to approve the bill.

I am returning the bill at the earliest possible moment with the hope that the Congress may find time before adjournment to remedy this defect.

WOODROW WILSON.

THE WHITE HOUSE, June 4, 1920.

Mr. GOOD. Mr. Speaker, I regret more than I can express that the President has thought it necessary to veto the budget bill. I can not arrive at any conclusion other than that the legal advice he has received as to the constitutional powers of Congress in this respect is, indeed, faulty.

The Committee on the Budget went into this matter very carefully, and in considering the matter there was never a vote, either on this subject of creating the general accounting office and providing for the comptroller general and his assistants or in the budget itself, where there was any division of sentiment between the members of that committee.

In creating the general accounting office and providing for the comptroller general and the assistant comptroller general, the committee was guided by a single thought, and that was that these two officers should be placed upon a plane somewhat comparable to the position occupied by Federal judges. The positions are semijudicial, and it was the opinion of the committee that we should remove them as far as possible from political considerations. It was considered that as to the President's appointment, if it was made a political office, the President would in all likelihood appoint some one of his own political faith. If the political situation should change and a President of some other political faith should assume the duties of that office, then that succeeding President would likewise appoint some one of his political belief. It was the desire of the committee that that situation should be avoided if possible.

You will recall that a former President, somewhat miffed because a Comptroller of the Treasury had ruled against his contention, sent word to the comptroller that if he could not change the opinion of the comptroller he could change the comptroller. It was the opinion of the committee that that condition should not be possible in the office that we were creating, an office that is to be, as it were, an arm of the Congress, where the official might be compelled to say to the executive officials, "This appropriation shall not be expended for any other purpose than that expressly provided for in the appropriation." We all know the tremendous influence that has always been brought upon the Comptroller of the Treasury, no matter who was President of the United States or to what political party he belonged, or who might occupy the position of comptroller.

The committee brought forth a provision in this bill somewhat unique, it is true, but a provision which the committee believed answers every provision of the Constitution and satisfies the decisions of the courts in the construction of the Constitution. The provision is this:

The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of negligence of duty or malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause, and in no other manner except by impeachment.

Article II, section 2, of the Constitution, referred to by the President in his veto message, which is descriptive of the powers of the President, specifies—

And he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law.

The Federal statutes, in the latest annotation, contain this provision with regard to Article III, section 2, of the Constitution:

4. Removal of inferior officers. When Congress by law vests the appointment of inferior officers in the heads of departments, it may limit and restrict the power of removal as it deems best for the public interest. The head of a department has no constitutional prerogative of appointment to office independent of the legislation of Congress, and by such legislation he must be governed, not only in making appointments but in all that is incident thereto.

There is no decision of the Supreme Court of the United States construing a statute such as we have attempted to enact. I think it may be stated as a general rule that the power given to the President to appoint an officer carries with it the inherent power of removal, unless that inherent right or incidental right is taken away by the statute itself. And that is what this Congress attempted to do, to take from the President the incidental right of removal, and to provide the circumstances and the methods of removal.

Mr. BARKLEY. Will the gentleman yield for a question there?

Mr. GOOD. Yes.

Mr. BARKLEY. Does the gentleman think that Congress, by legislation, can deprive the Executive of an inherent right that inheres in his office?

Mr. GOOD. I misspoke myself when I said "inherent." I meant "incidental" right. I have used the word as employed in all of the decisions of the Supreme Court. They did not use the words "inherent right."

Mr. BARKLEY. Does not the word "incidental," as used in that connection carry with it the idea that it inheres in the authority conferred upon the Executive, and therefore really is inherent?

Mr. GOOD. I think not. I think it is only incidental, and is referred to in the decisions as an incidental right. In all the decisions, or a great many of them at least, a distinction is made between the class of cases where Congress does not attempt to legislate with regard to that incidental right and where it does attempt to legislate; and yet in that respect the decision is only a dictum as a general rule.

Mr. STEVENSON. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. STEVENSON. Is there not also a distinction as between the officer whose term of office is stated and limited and the officer whose term of office is to continue indefinitely or during good behavior? Is not that held to be practically at the pleasure of the appointing power, and is not that distinction made?

Mr. GOOD. I grant that in one case I have in mind, where an officer was appointed for a period of four years, the incidental right of the President to remove him before the end of his term adhered, and the President could exercise that power.

Mr. DOREMUS. Will the gentleman yield for a question?

Mr. GOOD. Certainly.

Mr. DOREMUS. I am not quite clear as to whether what the gentleman read a moment ago was a quotation from the statute or from the Supreme Court decision.

Mr. GOOD. I was reading the annotated statutes.

Mr. DOREMUS. It was an extract from the statute?

Mr. GOOD. It was an extract from the annotated statutes and not from any decision; but it is followed by a great many of the notations with regard to it.

Mr. BRIGGS. Was that the statute itself or the annotation under the statute?

Mr. GOOD. That is the annotated statutes.

Mr. BRIGGS. Is the extract which the gentleman read a note to the statute?

Mr. GOOD. No; I did not read the note to the statute.

Now, in the case of *Duncan v. Hennen* (38 Peters, p. 230) there was a motion for a rule on the district judge of the eastern district of Louisiana to show cause why a mandamus should not be issued to make him restore this man to the office of clerk of the district court, the court made use of this language:

It can not be admitted that it was the intention of the Constitution that those offices which are denominated inferior offices should be held during life; in the absence of all constitutional or statutory provision as to the removal of such officers, it would seem to be a sound and necessary rule to consider the power of removal as incident to the power of appointment.

Mr. MONTAGUE. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. MONTAGUE. Would the gentleman not construe statutory regulations as meaning in conformity with the Constitution and not independent of the Constitution?

Mr. GOOD. Of course, if the statute is unconstitutional or any provision of the statute is unconstitutional, then to that extent the statute must necessarily fall. But the Supreme Court passing on that measure said that "in the absence of unconstitutional provision or statutory regulation"—and therefore the Supreme Court had in mind that where Congress by an act attempted to regulate the removal of an officer that Congress had that power under the Constitution. If Congress did not have that power under the Constitution, why did the Supreme Court in that case say that in the absence of a constitutional provision or a statutory regulation the right to remove was incidental to the right to appoint.

Mr. BARKLEY. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BARKLEY. Does the gentleman think that Congress would have the constitutional power to pass a law providing that Federal judges could be removed by a concurrent resolution of Congress?

Mr. GOOD. The Constitution itself contains the provision in regard to Federal judges, fixing their terms and tenure of office. The gentleman from Iowa would not be foolish enough

to say that where the Constitution provided for the appointment of an official and then provided how he should be removed that Congress would have that power.

Mr. BARKLEY. The gentleman is referring to the Supreme Court, and I did not refer to the Supreme Court.

Mr. GOOD. The gentleman said Federal judges.

Mr. BARKLEY. There are other Federal judges. These judges are not what we may call constitutional officers, except in the case that Congress is authorized to create inferior courts, and we have provided for them a life tenure of office. My question was: If under the Constitution we would empower Congress to remove these Federal judges who had a life tenure by a concurrent resolution, how could we construe the other section of the Constitution to give us that power with reference to another officer which has in effect the life tenure?

Mr. GOOD. I have not examined all of the provisions of the Constitution or all of the decisions. I have confined myself to consideration of the matter now under consideration. Applying the dictum in the case I have just read to this case, where we have specifically provided by this act not only the method of removal but the causes of removal, I think we have brought ourselves entirely within the provision of that case.

Mr. BEE. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BEE. Is not this the practical difficulty, that in overruling the President's veto and enacting it without his signature this question being raised will throw the budget into litigation?

Mr. GOOD. No; the only way this question could possibly be raised would be if the President of the United States sometime in the future should seek to exercise the power which he claims is incidental to the appointing power and remove a comptroller general or an assistant comptroller general. I do not believe any President will ever attempt to exercise such power.

Mr. WALSH. Will the gentleman yield?

Mr. GOOD. I will.

Mr. WALSH. Does the gentleman find anything in the Constitution which permits Congress to create an office and to say how the appointment shall be made, where it is powerless to say how the removal shall be made?

Mr. GOOD. Nothing of that kind in the Constitution.

Mr. BLANTON. Will the gentleman yield?

Mr. GOOD. I will yield to the gentleman.

Mr. BLANTON. If this section is constitutional, then the act of Congress does not affect this in any way; it does not affect any rights of the President under the Constitution.

Mr. GOOD. That is the claim of the President—that it does.

Mr. BLANTON. If under the Constitution he has the right to remove, our act would not affect him in any way.

Mr. GOOD. Of course, the Constitution being the fundamental law of the land, it would govern the President, but I think that is hardly the question.

Mr. PELL. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. PELL. If we pass this over the President's veto and then the Supreme Court should uphold the contention of the President, this bill would not fail, would it? The bill would continue.

Mr. BLANTON. Certainly.

Mr. PELL. The failure of this one clause would not destroy the whole thing?

Mr. GOOD. I have not given that any consideration. I think it is very remote. I do not see how the question can be raised except it be raised by some person who has been appointed to the position of comptroller general or assistant comptroller general, and the President attempts to remove him in violation of the provisions of the statute that created the office.

Mr. PELL. I am not a lawyer, but almost anything is possible in law.

Mr. GREENE of Vermont. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. GREENE of Vermont. The only office that exists is the one that Congress creates. That is the only one that the President has the right to appoint anyone to, and the character of that office must depend upon the limitations which Congress itself puts upon it when it creates it. This Congress creates an office that has certain limitations upon it as to removal. That is the only office the President must fill, and he must fill it subject to those limitations.

Mr. GOOD. I think that is true.

Mr. BLAND of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BLAND of Missouri. I understood the gentleman to say that the only way the question of constitutionality would be invoked would be by the President attempting to remove. Would it not more properly arise if Congress in the exercise of the power it attempts should attempt to remove, and then could not the comptroller or the assistant comptroller question the constitutional power of Congress?

Mr. GOOD. That might be raised in the same way.

Mr. PHELAN. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. PHELAN. Is there not something else involved in the constitutional objection than the taking away from the President of the right to remove, namely, the interference of Congress in his appointive power in this way? If Congress has the right to remove an appointee of the President for the reasons given in this bill, then it does it because it has the general right to remove presidential appointees, for what reasons it may care to give, and among other reasons it could well within the exercise of the power, if it has it, have the right to remove because it is its pleasure to remove. If Congress can remove an appointee of the President at its pleasure—

Mr. GOOD. No; not at its pleasure. We have specified here certain reasons.

Mr. PHELAN. You have specified certain reasons, but if you have the right to specify those reasons you have the right to specify other reasons, and you have the right to say that Congress can remove this man at the pleasure of Congress; or, if you have the right to say that Congress can remove an appointee of the President at pleasure, it follows that just as soon as he appoints a man Congress can remove him, and so on indefinitely; and that to me is plainly an interference with his right to appoint. [Applause.]

Mr. RAMSEY. Will the gentleman yield to me?

Mr. GOOD. Yes.

Mr. RAMSEY. I want to make this inquiry of the gentleman. If the Congress of the United States has the right to create an office and provide for the method of appointment, it is not a constitutional office; it is created by Congress. If the power exists to create and place in a person or body the right to appoint, does not the same right exist to create a right by which removal can be had as a legal constitutional question?

Mr. GOOD. I yield to the gentleman from Michigan [Mr. DOREMUS].

Mr. RAMSEY. I would like to have the gentleman answer that question.

Mr. DOREMUS. I am very sure that my friend from Iowa has no intention of misleading the House in what he was reading a moment ago from the Federal Statutes, annotated.

Mr. GOOD. Yes.

Mr. DOREMUS. It was not an extract from the statute at all; it is no part of the statute.

Mr. GOOD. I understand that; it is from the annotated statutes; it is in the annotation.

Mr. DOREMUS. I think the gentleman led many of us to believe that he was quoting from the statute itself.

Mr. GOOD. Oh, no; there is no statute; it is just the annotation.

Mr. GOODWIN of Arkansas. The gentleman so stated in reply to my inquiry.

Mr. RAMSEY. Just one moment in reference to my question.

Mr. GOOD. What is the gentleman's question?

Mr. RAMSEY. Supposed Congress assumed the power of appointment?

Mr. GOOD. That is denied by the Constitution.

Mr. RAMSEY. But would not Congress have the right to remove the officer?

Mr. GOOD. Now, that question was considered by the committee.

Mr. RAMSEY. Giving it the right to control it?

Mr. GOOD. The committee thought so. Section 2 of the Constitution provides how the officers of the United States shall be selected. It was the opinion of the Select Committee on the Budget that the House or the Senate, acting separately or the two acting together, could not appoint an officer of the United States, that an officer of the United States must be appointed under the provisions of the Constitution, and that question is not involved in the message of the President at all. The only question, the sole question, involved in the President's veto message is whether or not the power given under Article II, section 2, of the Constitution to the President to appoint an official carries with it the incidental power to remove, and that incidental power could not be taken away from him by express statute.



Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. GOOD. Certainly.

Mr. MOORE of Virginia. The gentleman knows I am as much interested in the budget system as he is?

Mr. GOOD. Yes.

Mr. MOORE of Virginia. We are considering in a very hasty and offhand way a very important matter. At the outset I was a little inclined to take the view the gentleman is now expressing. This is the question I would like to put to the gentleman: Is this official, the comptroller general, an inferior officer within the meaning of the constitutional provision or is he not clearly otherwise—a superior officer, so to speak. If he is not an inferior officer—

Mr. GOOD. Does the gentleman think that makes any difference?

Mr. MOORE of Virginia. Let us admit he is not an inferior officer.

Mr. GOOD. Does the gentleman think that makes any difference?

Mr. MOORE of Virginia. I think so.

Mr. GOOD. What difference?

Mr. MOORE of Virginia. I think if he were an inferior officer you might vest the appointment of the officer in some other appointing authority than the President, but you would not have—

Mr. GOOD. Oh, yes; the Constitution provides, in the same section, he may be appointed by the head of a department.

Mr. MOORE of Virginia. I do not think we would have this difficulty if he could be considered an inferior officer but, in my opinion, he can not be so considered. Now, if he is not an inferior officer, does not the gentleman's contention that Congress can divest the President of the power of removal take you logically to the admission that Congress can divest the President of power to remove a Cabinet officer. A Cabinet officer is created by statute. This official is to be created by statute. If the gentleman's argument is a good argument, then Congress possesses the power to take from the President authority to remove a Cabinet officer.

Mr. GOOD. I do not believe that the question of whether this officer is an inferior officer or an officer of another class provided for under the Constitution has anything to do with the contention raised by the President in his veto message.

The latest expression of the Supreme Court upon this subject, while not deciding this case, contains a dictum that, it seems to me, is indicative of what the opinion of the Supreme Court would be if this question was placed squarely before that court.

On July 17, 1890, there was appointed a general appraiser of merchandise under the act of June 10, 1890, and that nomination was consented to on the following day by the Senate, and the appellant was thereupon commissioned to be such general appraiser of merchandise. He accepted that office and took the oath required on July 24, 1890, and remained in such office and was paid the salary attached thereto up to May 15, 1890. On May 3 of that year he received the following communication from the President:

EXECUTIVE MANSION,  
Washington, D. C., May 3, 1890.

SIR: You are hereby removed from office of general appraiser of merchandise, to take effect upon the appointment and qualification of your successor.

The office of general appraiser of merchandise was created by the twelfth section of the act of Congress approved June 10, 1890, and commonly called the customs administrative act.

Section 12 of that act provides:

That there shall be appointed by the President, by and with the advice and consent of the Senate, nine general appraisers of merchandise, each of whom shall receive a salary of \$7,000 a year. Not more than five of such general appraisers shall be appointed from the same political party. They shall not be engaged in any other business, avocation, or employment, and may be removed from office at any time by the President for inefficiency, neglect of duty, or malfeasance in office.

In passing upon that provision, upon the question raised by the person who was removed, in an action for the recovery of his salary, the court said:

We assume for the purpose of this case that Congress—

I wish the gentlemen who are questioning this matter would pay close attention to what the Supreme Court has said.

Mr. BLANTON. All of us who want to hear can hear the gentleman. We hear him plainly.

Mr. GOOD. They said:

We assume, for the purposes of this case only, that Congress could attach such conditions to the removal of an officer appointed under this statute as it might deem proper, and therefore could provide that the officer should only be removed for the causes stated, and for no other, and after notice and opportunity for a hearing. Has Congress by the twelfth section of the above act so provided?

It can not now be doubted that in the absence of constitutional or statutory provision the President can by virtue of his general power of appointment remove an officer, even though appointed by and with the advice and consent of the Senate. To take away this power of removal in relation to an inferior officer created by statute—

The gentleman from Virginia [Mr. MOORE] will notice in this that the Supreme Court makes no distinction between an officer in that regard and other officers of the Government.

Although that statute provided for an appointment thereto by the President and confirmation by the Senate, would require very clear and explicit language. It should not be held to be taken away by mere inference or implication. Congress has regarded the office as of sufficient importance to make it proper to fill it by appointment to be made by the President and confirmed by the Senate. It has thereby classed it as appropriately coming under the direct supervision of the President and to be administered by officers appointed by him, and confirmed by the Senate, with reference to his constitutional responsibility to see that the laws are faithfully executed.

Have we in this statute been explicit? Have we been direct? Have we acted in a way that is uncertain? That is the only question under that decision that can be raised. Let me read again what we have done, and I submit that English language could not be framed to express more explicitly what the intention of Congress was as to the removal of this official:

The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general is incapacitated or inefficient, or has been guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment.

I submit that it is not possible for the human tongue to frame a provision that is more explicit and definite than that. We have not in this language drawn a provision that can be misconstrued by anyone. It is just as clear, it is just as forceful, as language can make it. It was made clear and forceful in order that this officer could be removed from all political consideration of any President who might ever occupy the presidential chair.

Mr. GOODYKOONTZ. Will the gentleman yield?

Mr. GOOD. I yield.

Mr. GOODYKOONTZ. Does not he think that the comptroller general would be rather an agent or a mere arm of Congress, which in itself has the power to select committees or agencies to gather information for it, and does not come within the category of general officers contemplated to be beyond the jurisdiction of Congress itself?

Mr. GOOD. It was the opinion of the committee that framed the law that the officer we were creating here was an officer of the United States, and his appointment would have to fall under the provisions of Article II of section 2 of the Constitution.

Now, I want to yield some time.

Mr. SIMS. Mr. Speaker, will the gentleman yield? I want to ask the gentleman from Iowa a question.

Mr. GOOD. Yes.

Mr. SIMS. I appreciate the attempt to take this matter away from consideration as a political matter; but does the gentleman think that the President is more likely to act from partisan considerations than would a partisan Congress, where both Houses are of the same political party?

Mr. GOOD. That is one of the reasons why we provided in the law the causes for removal, and the only causes are inefficiency, incapacity, neglect of duty, malfeasance in office, or some offense that involves moral turpitude.

Mr. SIMS. You could prescribe those reasons for the President as well as for Congress. You take all power of removal away from the President.

Mr. BYRNS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes; I yield to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. Mr. Speaker, the Budget Committee was united in the sentiment that the President must be vested with the power to make these appointments, and there was no division in that committee or in the conference committee as to the right of Congress to reserve to itself the power to remove these officers by concurrent resolution.

Mr. GOOD. The gentleman is correct in that. There was no division of sentiment on that question then, and there is no division of sentiment between the members of the committee on that question now, so far as I have been able to ascertain. [Applause.]

Mr. ROSE. Mr. Speaker, will the gentleman yield to me?

Mr. GOOD. Yes; I yield for a question.

Mr. ROSE. I was much impressed with the statement of the gentleman from Virginia [Mr. MOORE]. It seems to me at first blush that it would appear that the statement the gentleman made is unanswerable. But I think in looking into this question somewhat further we find that the premises he assumes are entirely wrong. He argues that if the Congress has the right to pass a statute creating an official position, and which carries with it the right of removal of an officer appointed by virtue of the provisions of such statute, that by analogy we could

enact laws to remove a Cabinet officer. But when Cabinet officers were provided by statute, no such provision accompanied the statute, and therefore this proposed law can not be taken as the assertion of a right on the part of Congress to pass a law to remove an officer appointed under a law already in force, and which carries with it none of the limitations found in the bill now under consideration.

Mr. MOORE of Virginia. Mr. Speaker, I will take the liberty to ask my friend from Iowa to enable me to make reply to that.

Mr. OVERSTREET. Mr. Speaker, a parliamentary question.

Mr. MOORE of Virginia. One minute. My proposition is this: Congress may institute to-morrow, Congress may create to-morrow a new department, a department of public health, with a secretary of public health. Let us assume that in such a statute Congress should provide that that official shall be removable by Congress, or removable otherwise than by the President. Then you would have a case analogous to this.

Now, as I understand, in the very first Congress the first Cabinet position that was created was that of Secretary of State, and that Mr. Madison said on the floor of Congress that the President would have the undoubted power to appoint that official and would have the equal power to remove him, and there was no power vested otherwise to remove him than in the President. Members of Congress contested that view, but that view was apparently adopted by Congress.

I respectfully submit that there is no escape from the logic. However desirable the action we have taken may be—and I admit that it is desirable—however desirable it may be, it is not constitutional unless it would be constitutional for Congress in creating Cabinet officers to say that the power of removal shall be vested in Congress instead of in the President.

Mr. GOOD. Now, Mr. Speaker, let us look at this question just a moment from the practical aspects. Every decision of the Supreme Court I have been able to find or to read leads me to believe that this incidental right of the President to remove can be taken from him and vested in the Congress of the United States. I think there is no question about that. That being the case, we have simply done what the Supreme Court has indicated Congress has the undisputed right to do.

Suppose, now, you take the other horn of the dilemma. Suppose you vest this power of removal in the President of the United States. One President comes in and appoints a comptroller general; that comptroller general will not be able to learn the duties of that great office and perform them as they should be performed, perhaps, before he would be removed by the succeeding President.

But that is not all. It gives the President the right to remove a comptroller general of the United States who renders a decision that will not permit the executive departments to deplete the Treasury of the United States. That is just what we are trying to get away from. Comptrollers have been embarrassed by that very thing, and the embarrassment of the Comptroller of the Treasury would by that provision be continued. The very office that you are creating here will not be the efficient office that it will be if we make this official an independent officer of the United States who can render a decision according to the law and let the chips fall where they may.

Mr. Speaker, I feel that the matter to which the President has called attention is one that should not have come before the House. I believe that his fears in this respect are not well founded, and I am thoroughly convinced that the power we have vested in Congress is a power that we have a right to vest there, and that we have exercised that right in the way that every gentleman here believing in budgetary legislation would have exercised it. [Applause.] In that decision the gentleman from North Carolina [Mr. KITCHIN], the gentleman from Tennessee [Mr. BYRNS], the gentleman from Texas [Mr. GARNER], the gentleman from Colorado [Mr. TAYLOR], and the gentleman from Oklahoma [Mr. HOWARD] were just as firm in their conviction as any man who sat on the Republican side of the table. In coming to a decision upon this question I hope the membership of this House will be guided by the same high motives that actuated their colleagues in arriving at this decision when this whole question was thrashed out in the committee. [Applause.]

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman moves the previous question. The previous question was ordered.

The SPEAKER. The question is, Will the House, on reconsideration pass the bill, the objections of the President to the contrary notwithstanding? On this question the Constitution provides that the vote shall be taken by the yeas and nays. The Clerk will call the roll.

The question was taken; and there were—yeas 178, nays 103, answered "present" 1, not voting 145, as follows:

## YEAS—178.

Ackerman	Esch	Knutson	Reed, N. Y.
Andrews, Md.	Evans, Nebr.	Kraus	Reed, W. Va.
Andrews, Nebr.	Fields	Kreider	Ricketts
Babka	Focht	Langley	Robison, Ky.
Bankhead	Foster	Larsen	Rogers
Barbour	French	Lea, Calif.	Rose
Bee	Gallivan	Lehbach	Rowe
Begg	Garland	Little	Sanders, Ind.
Bell	Garrett	Luce	Sanders, N. Y.
Benham	Glynn	Lufkin	Sanford
Black	Good	Luhning	Schall
Bland, Ind.	Goodykoontz	McDuffie	Scott
Bland, Mo.	Graham, Ill.	McFadden	Sells
Bland, Va.	Green, Iowa	McKenzie	Shreve
Blanton	Greene, Mass.	McLaughlin, Mich.	Siegl
Bowers	Greene, Vt.	McLaughlin, Nebr.	Sinnott
Brand	Griffin	McPherson	Smith, Idaho
Brooks, Pa.	Hadley	MacCrate	Strong, Kans.
Browne	Hardy, Colo.	MacGregor	Summers, Wash.
Buchanan	Hawley	Magee	Swope
Burdick	Hays	Maher	Taylor, Colo.
Burke	Hersey	Mapes	Temple
Burroughs	Hickey	Michener	Thompson
Byrnes, S. C.	Hicks	Miller	Tilson
Byrns, Tenn.	Hill	Milligan	Timberlake
Campbell, Kans.	Hoch	Monahan, Wis.	Tincher
Cannon	Howard	Mondell	Tinkham
Chindblom	Huddleston	Moore, Ohio	Towner
Christopherson	Hull, Iowa	Moore, Ind.	Upshaw
Classon	Humphreys	Morin	Vaile
Crago	Igoe	Mott	Vinson
Cramton	James	Mudd	Walsh
Crisp	Jeffers	Murphy	Walters
Crowther	Johnson, S. Dak.	Newton, Mo.	Wason
Dallinger	Johnson, Wash.	Nolan	Watson
Darrow	Jones, Pa.	O'Connor	Wheeler
Davey	Jones, Tex.	Ogden	White, Kans.
Davis, Minn.	Juhl	Parrish	White, Me.
Denison	Kahn	Pell	Wilson, Ill.
Dickinson, Iowa	Kearns	Platt	Winslow
Dominick	Kelly, Pa.	Porter	Wood, Ind.
Dunbar	Kendall	Radcliffe	Woodyard
Echols	Kennedy, Iowa	Ramsey	Zihlman
Edmonds	Kinkaid	Rayburn	
Emerson	Klecza	Reber	

## NAYS—103.

Almon	Gallagher	McKiniry	Romjue
Ashbrook	Gandy	McLanc	Rouse
Aswell	Ganly	Major	Rowan
Ayres	Gard	Mann, S. C.	Rubey
Barkley	Goldfogle	Martin	Sabath
Benson	Goodwin, Ark.	Mead	Sims
Box	Hamill	Minahan, N. J.	Smith, N. Y.
Briggs	Harrison	Montague	Steagall
Campbell, Pa.	Hersman	Moon	Stevenson
Candler	Holland	Moore, Va.	Summers, Tex.
Carew	Hudspeth	Morgan	Tague
Casey	Hull, Tenn.	Neely	Taylor, Ark.
Clark, Mo.	Jacoway	Nelson, Mo.	Thomas
Cleary	Johnson, Ky.	O'Connell	Venable
Collier	Johnston, N. Y.	Oliver	Watkins
Connally	Kincheloe	Olney	Welling
Cullen	King	Overstreet	Welty
Davis, Tenn.	Lanham	Padgett	Whaley
Donovan	Lankford	Park	Wilson, La.
Dooling	Lee, Ga.	Phelan	Wilson, Pa.
Doremus	Lesher	Quin	Wingo
Doughton	Linthicum	Rainey, Ala.	Woods, Va.
Eagan	Loneragan	Rainey, H. T.	Wright
Evans, Mont.	McAndrews	Rainey, J. W.	Yates
Fisher	McGlennon	Raker	Young, Tex.
Flood	McKeown	Riordan	

## ANSWERED "PRESENT"—1.

McClintic

## NOT VOTING—145.

Anderson	Dowell	Hayden	Nelson, Wis.
Anthony	Drane	Heflin	Newton, Minn.
Bacharach	Drewry	Hernandez	Nicholls
Baer	Dunn	Hoey	Oldfield
Blackmon	Dupré	Houghton	Osborne
Boies	Dyer	Hulings	Paige
Booher	Eagle	Husted	Parker
Brinson	Elliott	Hutchinson	Peters
Britten	Ellsworth	Ireland	Pou
Brooks, Ill.	Elston	Johnson, Miss.	Purnell
Brumbaugh	Evans, Nev.	Keller	Ramseyer
Butler	Fairfield	Kelley, Mich.	Randall, Calif.
Caldwell	Ferris	Kennedy, R. I.	Randall, Wis.
Cantrill	Fess	Kettner	Reavis
Caraway	Fordney	Kless	Rhodes
Carss	Frear	Kitchin	Riddick
Carter	Freeman	Lampert	Robinson, N. C.
Clark, Fla.	Fuller, Ill.	Layton	Rodenberg
Coady	Fuller, Mass.	Lazaro	Rucker
Cole	Garner	Longworth	Sanders, La.
Cooper	Godwin, N. C.	McArthur	Scully
Copley	Goodall	McCulloch	Sears
Costello	Gould	McKinley	Sherwood
Currie, Mich.	Graham, Pa.	Madden	Sinclair
Curry, Calif.	Griest	Mann, Ill.	Sisson
Dale	Hamilton	Mansfield	Slomp
Dempsey	Hardy, Tex.	Mason	Small
Dent	Harrel	Mays	Smith, Ill.
Dewalt	Hastings	Merritt	Smith, Mich.
Dickinson, Mo.	Haugen	Mooney	Smithwick



Snell	Stiness	Treadway	Webster
Snyder	Stoll	Vare	Williams
Stedman	Strong, Pa.	Vestal	Wise
Steele	Sullivan	Voigt	Young, N. Dak.
Steenerson	Sweet	Volstead	
Stephens, Miss.	Taylor, Tenn.	Ward	
Stephens, Ohio	Tillman	Weaver	

So two-thirds not having voted in favor thereof, the House on reconsideration refused to pass the bill.

The following pairs were announced:

On this vote:

Mr. VOIGT and Mr. RANDALL of Wisconsin (for) with Mr. SULLIVAN (against).

Mr. LAMPERT and Mr. NELSON of Wisconsin (for) with Mr. CALDWELL (against).

Mr. SLEMP and Mr. FULLER of Massachusetts (for) with Mr. SCULLY (against).

Mr. ANTHONY and Mr. HOUGHTON (for) with Mr. CANTRILL (against).

Mr. SNYDER and Mr. NEWTON of Minnesota (for) with Mr. HEFLIN (against).

Mr. EAGLE. Mr. Speaker, I would like to vote "no."

The SPEAKER. Was the gentleman present and listening when his name should have been called?

Mr. EAGLE. I was not.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

Mr. GOOD. Mr. Speaker, I move to refer the veto message to the Committee on the Budget.

The motion was agreed to.

#### REPEAL OF WAR-TIME LEGISLATION.

Mr. WALSH. Mr. Speaker, I ask that House joint resolution 373 be taken from the Speaker's table and agree to the Senate amendments.

The SPEAKER. The gentleman from Massachusetts moves to take from the Speaker's table and agree to the Senate amendments to House joint resolution 373, declaring that certain acts of Congress by proclamation shall be construed as if the war had ended and the present existing emergency had expired.

The Clerk read the Senate amendments.

Mr. WALSH. Mr. Speaker, the Senate amended this resolution by adding to the acts excluded from its provisions "An act to prevent in time of war the departure from and entry into the United States contrary to public safety," which was approved March 22, 1918. This act was exempted from the provisions of the resolution repealing the war laws. The Senate was prompted to include that in the exemption by reason of a communication from the Commissioner of Internal Revenue; and I ask to have read in my time the letter from Mr. Williams to Senator NELSON, chairman of the Senate Committee on the Judiciary.

The Clerk read as follows:

TREASURY DEPARTMENT,  
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,  
Washington, June 4, 1920.

Hon. KNUTE NELSON,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: House joint resolution 373, which would repeal the act of May 22, 1918, entitled "An act to prevent in time of war departure from and entry into the United States contrary to the public safety," would cause serious consequences to the public revenues in that the collection of income tax from departing aliens is based entirely upon regulations promulgated by the Secretary of State pursuant to the act of May 22, 1918.

The department collects from departing aliens approximately \$10,000,000 a year at the different ports of the United States, and the only means we have of forcing them to pay such tax is by Executive order No. 3231, dated February 20, 1920, whereby departing aliens are required to secure and present a certificate of compliance with the income-tax law.

It is urgently requested that this act be continued in force and effect until such time as an amendment may be procured to the revenue laws to cover this situation.

With assurances of my esteem, I am,

Sincerely, yours,

WM. M. WILLIAMS, Commissioner.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. WALSH. I will yield to the gentleman.

Mr. GREEN of Iowa. Mr. Speaker, my attention having been called to this matter of the revenue, I will say, speaking for myself particularly, and I think for all members of the Ways and Means Committee, although I have not had an opportunity to consult with all of them, it seems very important that this amendment offered by the Senate should be adopted. The attention of the Ways and Means Committee has not been called to this subject until this time, otherwise revenue legislation would have been proposed to cover the subject. The only way now, from a hasty examination, that the departure of these aliens could be stopped, unless this amendment is adopted, would be by the use of the writ of ne exeat, which would take so long that it is probable that the aliens would

have departed before it could issue, and therefore the committee regards it as important that the Senate amendment be adopted.

Mr. GARRETT. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARRETT. I would like to ask the gentleman from Massachusetts if, in view of the apparent necessity for this amendment as shown by the action of the other body, as has been stated by the gentleman from Iowa, he does not think that the not over numerous but eminently respectable minority that voted against the bill is entirely vindicated in so doing?

Mr. WALSH. Does the gentleman expect an unbiased and frank reply to his very concise question?

Mr. GARRETT. I shall have to leave the reply to the gentleman from Massachusetts.

Mr. WALSH. I think the distinguished gentleman from Massachusetts and his colleagues are very alert to grasp at this particular situation as an excuse and justification for their voting against it, because they had no knowledge whatever of the situation at the time they voted.

Mr. GARRETT. If the gentleman will permit, that is the reason. We did not have the knowledge. It is an illustration of the danger of undertaking to repeal some 60 or more laws, lumping them all together, in 40 minutes' debate under suspension of the rules, and the very second day thereafter we find the great danger in it.

Mr. WALSH. I think the majority of the membership of the House, as well as the American people, are very glad to face whatever danger there may be from a legislative standpoint, in order to get these war laws repealed and get the country back to a peace basis once more. Mr. Speaker, I move the previous question.

The previous question was ordered.

The Senate amendments were agreed to.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14338) to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 10806. An act to provide for the abolition of the 80-rod reserved shore spaces between claims on shore waters in Alaska; and

H. R. 13627. An act to amend paragraph (e) of section 7 of the act approved March 3, 1919, entitled "An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines."

#### MERCHANT MARINE.

The SPEAKER laid before the House the following Senate concurrent resolution (S. Con. Res. 30):

*Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 10378) to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and to provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes, the Clerk be, and is hereby, authorized and directed to number the sections thereunder in consecutive order.*

The resolution was agreed to.

#### ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 14208. An act to amend section 9 of an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended;

H. R. 13266. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1921, and for other purposes;

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, and insists upon its amendments numbered 4 and 18.

## DEFICIENCY APPROPRIATION BILL—CONFERENCE REPORT.

Mr. GOOD. Mr. Speaker, I present a conference report on the bill (H. R. 14335) to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, which I send to the desk and ask to have read.

The conference report and statement were read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14335) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 5, 8, 12, 13, 14, 19, 20, 21, 26, 37, 39, 50, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 9, 10, 11, 15, 16, 22, 24, 27, 28, 29, 31, 32, 33, 34, 35, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 53, 54, 55, 56, 57, and 58, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

## "ANTHRACITE COAL COMMISSION.

"The unexpended balance of the appropriation for the fiscal year 1920 for the Bituminous Coal Commission is made available during the fiscal years 1920 and 1921 for expenses of the Anthracite Coal Commission, including salaries and expenses of officers, employees, and witnesses, personal services in the District of Columbia, purchase of supplies, printing and binding, reporting proceedings, per diem in lieu of subsistence at not exceeding \$4, and all other necessary expenses in connection therewith."

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment strike out the words "the passage of this act" and insert in lieu thereof "June 30, 1920"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and roadway thereto, \$7,500"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

## "SHIPPING BULLETIN.

"The Secretary of the Navy is authorized to cause to be prepared in the Office of Communications, Navy Department, a publication known as the Shipping Bulletin, and to publish and furnish the same to the maritime interests of the United States and other interested parties, at the cost of collecting and publishing the information, including the cost of printing and paper and other necessary expenses. The expenses of such bulletin shall be paid from the appropriation 'Engineering, Bureau of Steam Engineering, fiscal year 1921. The money received from the sale of such publication shall be covered into the Treasury as miscellaneous receipts."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

## "PENSION OFFICE.

"To provide additional compensation for employees of the Bureau of Pensions designated to carry out the act entitled 'An act for the retirement of employees in the classified civil serv-

ice, and for other purposes,' approved May 22, 1920, \$2,000, to continue available until June 30, 1921: *Provided*, That no person so employed shall receive compensation at a rate exceeding \$1,740 per annum except one at \$3,000, one at \$2,400, one at \$2,000, and two at \$1,800 each."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment strike out "\$20" and insert in lieu thereof "\$15"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That paper, envelopes, and blank books required by the stationery rooms of the Senate and the House of Representatives for sale to Senators and Members for official use may be purchased from the Public Printer at actual cost thereof, and payment therefor shall be made before delivery"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Strike out in lines 2 and 3 of the matter inserted by said amendment the words "or before October 1 of each year" and insert in lieu thereof "the first day of each regular session"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment lines 69, 70, 71, 72, 76, 77, 78, and 79, and in line 103 strike out "\$863,568.91" and insert in lieu thereof "\$854,735.49"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5"; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 4 and 18.

JAMES W. GOOD,

J. G. CANNON,

JAMES F. BYRNES,

*Managers on the part of the House.*

F. E. WARREN,

CHARLES CURTIS,

O. W. UNDERWOOD,

*Managers on the part of the Senate.*

Mr. GOOD. Mr. Speaker, the House has agreed to all matters in dispute with the exception of Senate amendment No. 4, known as the Harrison amendment, which has to do with the appointment of the Board of Education in the District of Columbia. The Senate amendment changes the present law and takes from the District of Columbia Supreme Court the right to appoint the Board of Education and vests that power in the President. It also changes the number of members of the board from six to nine. It is legislation. The House was not willing to yield when the first report was presented to the Senate, and there was so much objection because the conferees had first agreed to eliminate that item that the conferees on the part of the Senate were obliged to withdraw the conference report, and a second conference was had. We have brought that amendment back to the House.

The next amendment is No. 18, found on page 31, and carries \$368,978.33. The river and harbor act approved March 2, 1919, carries the following provision:

That the Secretary of War is hereby authorized to ascertain whether any of the contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, the date of the entrance of the United States into war with Germany, have become inequitable and unjust on account of increased cost of materials, labor, and other unforeseen conditions arising out of the war; and to ascertain and report what amounts, if any, in addition to those fixed by the terms of said contracts, should in justice and equity be paid to contractors, for work performed between April 6, 1917, and July 18, 1918, the date of the approval of an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," on account of the increased cost of labor and materials and other unforeseen conditions arising out of the war during that period: *Provided*, That in every case the amount so ascertained shall not exceed the actual loss sustained by the contractor in performing the work between the said dates: *Provided further*, That when such amount shall have been ascertained, the Secretary of War shall transmit to Congress



for consideration a statement or statements of all findings or determinations rendered by authority of this section, the amounts thereof, the names of contractors, and dates of contracts.

It will be observed that this section does not authorize any settlement whatever. It simply authorizes the Secretary of War to secure the information and report it to Congress. The Secretary of War has done that, and the total amount of the claims is the amount carried in the Senate bill. Inasmuch as Congress has never authorized the payment of these claims, the managers on the part of the House did not care to set a precedent unless directed by the House to report the appropriation for these matters. We thought it best to bring the item back.

I have consulted quite a number of Members of the House with regard to the situation since the managers have brought these matters back, and there seems to be a disposition to pay these claims. There seems to be a thought that these claims fall into the same category as claims that Congress decided should be paid to contractors on public buildings where the contract was entered into before we entered the war and the work was completed after the beginning of the war and there was an increased cost of material and labor because of the war.

I shall, therefore, offer an amendment in lieu of the Senate amendment to provide for the payment of these claims, approved by the Secretary of War, out of appropriations already made.

The House has receded on the appropriation of \$292,000 carried in the Senate bill for the transfer of the Subtreasuries. It is estimated by the Treasury Department that it will require an appropriation of that amount to transfer funds, and so forth, to the Treasury of the United States or the Federal reserve banks. The House also receded on an item of \$1,000,000 for limited indemnity for the Postal Service. The only other items of any magnitude from which the House receded are the sums for the judgments of the Court of Claims and claims allowed by the accounting officers. The Senate has receded on a large number of the other items.

Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 18 and agree to the same with an amendment as follows, which I send to the desk.

The SPEAKER. The gentleman offers a motion, which the Clerk will report.

The Clerk read as follows:

Mr. GOOD moves that the House recede from its disagreement to the amendment of the Senate No. 18 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "River and Harbor work; readjustment of contracts: The sum of \$368,978.32 found to be due various contractors under the provisions of section 10 of the river and harbor appropriation act approved March 2, 1919, on certain contracts for work on river and harbor improvements entered into but not completed prior to April 6, 1917, for work performed between April 6, 1917, and July 18, 1918, may be paid by the Secretary of War from any unexpended balances of appropriations heretofore made for the project on which such work was performed."

The SPEAKER. The question is on agreeing to the motion of the gentleman from Iowa.

The question was taken, and the motion was agreed to.

Mr. BLANTON. Mr. Speaker, I offer a preferential motion.

The SPEAKER. The motion has been agreed to.

Mr. BLANTON. I offer another motion, which is preferential. I move—

The SPEAKER. The gentleman from Iowa was recognized first.

Mr. GOOD. What amendment is the gentleman interested in?

Mr. BLANTON. I was going to move to recede and concur in Senate amendment No. 4, known as the Harrison amendment.

Mr. GOOD. I yield to the gentleman.

Mr. BLANTON. Mr. Speaker, I move to recede and concur in Senate amendment No. 4, known as the Harrison amendment.

SEVERAL MEMBERS. What is that?

Mr. BLANTON. That is in reference to the school organization.

Mr. BYRNES of South Carolina. Mr. Speaker, amendment No. 4 provides school legislation for the District of Columbia. If there is anything which has caused Members of Congress to complain, and justly complain, it is the habit of including in appropriation bills legislative propositions. Bad at all times, it is especially vicious when in the closing hours of a session at this hour of the night a legislative proposition is brought into the House upon which the House has never had any hearings and on which, as a matter of fact, the regular committees of the Senate have had no hearings.

This amendment provides that the present board of education shall be abolished. It provides that instead of the board of education being appointed by the judges of the supreme court, as is now the case, they shall hereafter be appointed by the President, by and with the consent of the Senate. It provides that no person shall be eligible for membership unless he has resided in the District for seven years. A man is eligible to be appointed a commissioner of the District when he has resided here three years, but under this amendment in order to be eligible for appointment to the board he must have resided here seven years. The superintendent of schools is eligible for appointment if he has resided here five minutes, but the members of the board of education must reside here for seven years. It provides for a survey of the schools of the District by the chairman of the District Committees of House and Senate. We have just completed a survey at an expense to the Government. This carries an appropriation of \$15,000, and the only result of it will be a report to Congress making recommendations for additional expenditures. There is no reason on earth why we should go absolutely crazy on this subject of surveys. Every bill that comes in provides for a survey. There may be merit in some of the provisions contained in this amendment. Some of its provisions, in my opinion, are exceedingly unwise. At this hour we have no opportunity to give it the consideration it deserves. This matter is in the jurisdiction of the Committee on the District of Columbia. This Congress has been in session for months, and it could have been submitted to them. The District Committee is familiar with local affairs and should legislate on this subject if legislation is necessary. This House should not pass upon it in the closing hours of a session unless the Committee on the District of Columbia does investigate it—

Mr. BEE. Will the gentleman yield?

Mr. BYRNES of South Carolina. I can not yield now. The judges of the supreme court, who under the present law are charged with the appointment of members of the board of education, have never had an opportunity to make a statement to any legislative committee nor to the Committee on Appropriations of their views of this matter; and here, without any information, when no Member has had opportunity even to read the amendment, the Congress is asked to agree to it. The conferees on the part of the Senate, knowing that it was a legislative proposition and that the rule has been, whenever there is a disagreement, that the House offering legislation to an appropriation bill should recede, agreed to recede. It went back to the Senate, and because a Member or two or three Members interested in this proposition insisted on it it comes here for a vote.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. BLANTON. The gentleman is not in favor of placing riders upon appropriation bills?

Mr. BYRNES of South Carolina. It is always best not to do it.

Mr. BLANTON. But the gentleman said that he is not in favor of that, and yet the gentleman's committee placed the whole budget system as a rider upon one of the appropriation bills.

Mr. BYRNES of South Carolina. Oh, yes; but the gentleman knows that that rider had already passed this House unanimously after the most careful consideration. It had been considered for months by a committee of this House. This proposition has been considered by no committee of the House and by no regular committee of the Senate, and it is an entirely different proposition. In the case of the budget, the House had voted unanimously, and it was added to an appropriation bill simply to force action by the Senate on the budget. And I hope that notwithstanding the veto, we will get favorable action on it.

Mr. Speaker, I desire to ask the chairman of the committee if he will yield to the gentleman from Kentucky [Mr. JOHNSON]?

Mr. GOOD. I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, this is but another attempt of the other branch of Congress to presume on the impotency of this body. Who in this House knows anything at all even of the alleged reason for the proposed change in the appointment of the school board? The schools of the District of Columbia for years have been the storm center for quarrel after quarrel. Before the present arrangement, politics always disturbed the schools until Congress in its wisdom took politics out of them. When the school board was appointed by political authority and for political reasons, politics was always in the

schools. Then the Congress, as I say, in its wisdom, changed it and gave the appointment of this board to the judges of the Supreme Court of the District of Columbia, made up of Republicans and Democrats—men who had no political ax to grind, men whose tenure of office was for life. There it rests, and there it ought to continue. It is no secret at all that delegates to national political conventions have been selected through the channel of the school board, and that was one of the principal reasons why the appointment of the board was taken out of politics and put in the hands of the judges of the supreme court. Those judges now are made up of Democrats and Republicans—men from the North and from the South.

Here in the District there is a very mixed population. The members of the board have been apportioned among the races. In the Senate amendment there is a proposition that the President of the United States will appoint the board, and there is nothing said about race or color.

The only limitation is that a part of that board shall be made up of women. We all know that the present quarrel in the school board has arisen because of a certain colored member of the board; and because the present chairman of the board has seen fit not to have him removed from the school board without a thorough examination he has invited attack upon himself, which attack is encouraged by a man who himself once was chairman of the school board. Does he say that the present chairman of the school board is dishonest? He dare not say that. But was he himself, when chairman of the school board, free from criticism? A year or two ago, standing on the floor of this House, I referred to the man who was then chairman of the school board and to the principal of one of the schools here, and showed that an addition to the McKinley School was bought at \$30,000 more than was asked for it, because the then chairman of the school board—

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. I ask for five minutes more.

Mr. GOOD. I yield to the gentleman five minutes more.

Mr. JOHNSON of Kentucky. At that time I read the correspondence, and it is in the RECORD, that that man, from his early manhood, has been a standing candidate for office in the District of Columbia, and he now holds one, and is a candidate for Commissioner of the District of Columbia at this moment.

Congress appropriated about \$190,000 to buy an addition to the McKinley School. A man by the name of Myers was principal, and for the benefit of the District of Columbia he went around and got options on the land to be acquired from the various owners of it.

A real estate agent in the District of Columbia, whose name I gave at the time when I read that correspondence into the RECORD, was the only one who could sell real estate to the District of Columbia. That real estate was taken out of the hands of another agent and put in his hands for sale to the District of Columbia, and when it was in his hands for sale he wrote a letter to the then chairman of the school board, who now is making a malicious fight against the present chairman, and asked that that man Myers be compelled to desist in getting options, not for himself, but for the benefit of the District of Columbia, and those letters showed that Myers was compelled to stop getting those options. And because he persisted he was removed from his position, and the land was bought for about \$30,000 more than his options showed that the owners asked for it. Now that former chairman of the board comes as a candidate for the commissionership of the District of Columbia.

The fight was made on the present chairman of the school board in order to discredit him, so that he might be defeated for Commissioner of the District of Columbia and open up the way for his own appointment.

Seven million dollars is carried in this bill for the sick and wounded soldiers. Will you tell me that the other body is going to stand out against that appropriation for those deserving heroes of our war in order that a vicious, scheming man may be elevated to the commissionership of the District of Columbia? I do not believe it, and I believe that this House ought to vote unanimously to instruct the conferees on the part of the House never to accept the proposed amendment. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas is recognized for three minutes.

Mr. BLANTON. Mr. Speaker, the gentlemen who have spoken against this amendment have failed to give us the benefit of some facts. The Senate has, through one of its committees, for days and weeks been holding an exhaustive investigation upon this question. It so happened some time ago in the District of Columbia schools that a teacher was found teaching bolshevism, and Supt. Thurston, through his influence, caused that teacher to be suspended. It is true the

teacher was suspended only for a week; the action of Supt. Thurston was overridden, and the teacher reinstated; and then, in punishment of Supt. Thurston, Mr. Commissioner Van Schaick notified him that he was going to be dismissed from the service, and this investigation followed.

It is a question of whether you are going to uphold Supt. Thurston for trying to keep bolshevism out of the schools or whether you are going to uphold Mr. Commissioner Van Schaick in trying to keep bolshevism in the schools. That is the question.

The distinguished Senator from Mississippi [Mr. HARRISON], who formulated this amendment, has designed a way of benefiting the schools, of reorganizing the schools, of keeping them clean here, of keeping them free from the evil influences that have beset them in the past, and I say we are going to make a mistake if we reject this amendment.

The gentleman from South Carolina [Mr. BYRNES] says there has been no investigation made by the House. The subject has had investigation and close, careful consideration by a Senate committee for days and weeks. I am in favor of supporting the result of that investigation. I am in favor in this closing hour of Congress of receiving and accepting that amendment. I think it is the best piece of legislation that has ever been offered here in the closing hour of any Congress. [Applause.]

Mr. GOOD. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. Sisson].

The SPEAKER. The gentleman from Mississippi is recognized for three minutes.

Mr. SISSON. Mr. Speaker, I am very much opposed to this method of legislation and I do not believe a single Member of this House knows anything on earth about what is in this amendment.

Now, if you want to vote blindly on a proposition, here is the opportunity to put you to a square test. In the first place, there are many things about this amendment that I do not like.

Mr. HUDSPETH. Tell us about it.

Mr. SISSON. I can not go into it at this particular time, when time is so precious. It is foolish to undertake it. I am going to mention it, however, if I can.

The gentleman from Kentucky [Mr. JOHNSON] was chairman of the District of Columbia Committee for many years and has given his time and thought and attention to it. So has the gentleman from Minnesota [Mr. DAVIS], the present chairman of the Subcommittee on the District of Columbia, under the Committee on Appropriations.

Prior to his chairmanship I was chairman of the subcommittee several terms, and Mr. Page, of North Carolina, was chairman of the subcommittee prior to that time, when I was the ranking member, and we have repeatedly gone into this matter. I say without hesitation that there are several very serious defects in the present system. But I do not believe that the President of the United States ought to be called upon to appoint the school board in a municipality.

In the first place, the President of the United States is not going to be able, with his other duties, to give this matter the attention that ought to be given to it. Your committee in the House on two occasions has vested the power where it ought to be, with the District Commissioners, who look after the fiscal affairs of the city government, and they ought to look after the affairs of the schools, and they ought to appoint the school-teachers. The District Commissioners, whose business it is to see that we have good city government and good schools, ought to have that power.

The reason why the committee recommended that the District Commissioners should have the power to appoint the school-teachers was that a few years ago they had a row in connection with a school administration, and on account of that row it was decided that we would remove the schools from politics and vest the appointment of the members of the school board in the judges of the Supreme Court of the District of Columbia because the supreme court judges would accept the recommendations of persons who would be disinterested. But those judges, among them Judge McCoy, and another who is now practicing law in the District of Columbia, say that the supreme court ought not to have anything on earth to do with the appointment of the members of the school board and ought to get rid of it.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield to the gentleman two minutes more.

Mr. SISSON. The supreme court ought not to have anything more to do with it. They want to get rid of it. The gentleman from Virginia [Mr. MOORE] said to me, "I am interested in the schools here"; but the idea of asking gentlemen to vote for this proposition without a single Member of Congress having an opportunity to investigate it is a proposition that is going entirely too far, and I do not believe the Members of this House will accept it. And do you not know



that the Senate is bound to recede on this sort of a proposition, involving as it does so much legislation and involving a revolution in the school system in this District?

There are many other matters in the amendment which I do not like.

Mr. BEE. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BEE. The schools will not be hurt by postponing this.

Mr. SISSON. Not a bit. Some gentleman asked me if it involved the question of the teachers' salaries. It does not. That was in the District bill which has passed the House. This does not involve the salaries of the teachers. It involves the question of a reorganization of the school system of the District of Columbia, and is legislative matter. I hope it will be overwhelmingly voted down.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. I yield two minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Speaker, there is no institution in the District of Columbia of more importance to the District than its schools. This amendment would vitally affect the schools. After considerable investigation of my own of this same school board, I am not very favorably impressed with them, but I am far from being satisfied that a transfer of the method of appointment would greatly change the situation. You must remember that the Supreme Court of the District of Columbia appointed Dr. Van Schaick as a member of the board, and the President appointed him a commissioner, so that both seem to agree as to his qualifications, and I can not see that you would get any improvement by changing the method of appointment of the school board from one to the other.

Further, here at 1 o'clock in the morning we are asked to pass upon a two-page amendment that vitally affects the whole school system. I insist that we are not prepared to do it. Furthermore, I want to warn you that in the closing moments of the session it is not wise to put such a legislative proposition in the bill, that might bring forth a veto of the bill to-morrow morning just before you want to adjourn.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. BLANTON] to recede and concur.

The motion was rejected.

Mr. BLANTON. Mr. Speaker, if there is nothing else, I move that we adjourn.

Mr. MAPES. The gentleman from Iowa does not desire to move for a further conference?

The SPEAKER. The gentleman from Iowa announced that he did not propose to ask for a conference.

#### RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 10 o'clock this morning.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House stand in recess until 10 o'clock this morning. Is there objection?

There was no objection.

Accordingly (at 1 o'clock and 9 minutes a. m., Saturday, June 5, 1920), the House took a recess until 10 o'clock a. m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

Illustrations accompanying a letter from the Secretary of War transmitting reports descriptive of water terminals and transfer facilities in harbors and waterways under jurisdiction of or being maintained by the United States and explaining that a further report of investigations now in progress by the Board of Engineers for Rivers and Harbors (general subject of water terminals) will be transmitted at a later date (H. Doc. No. 652); to the Committee on Rivers and Harbors and ordered to be printed.

Illustrations accompanying a letter from the Secretary of War transmitting reports on preliminary examinations and survey of New York and New Jersey channels, with a view to securing a ship channel of increased width and depth necessary for the purposes of commerce from lower New York Bay, Arthur Kill, Staten Island Sound, channel north of Shooters Island, and Kill Van Kull, to upper New York Bay (H. Doc. No. 653); to the Committee on Rivers and Harbors and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FESS, from the Committee on Education, submitted a report (No. 1104) on the investigation of the Federal Board for Vocational Education, pursuant to House resolution 495, which said report was referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PETERS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 13760) for the relief of Milton M. Fenner, reported the same without amendment, accompanied by a report (No. 1105), which said bill and report were referred to the Private Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JAMES: A bill (H. R. 14411) requiring all public-building bills to be submitted to the Secretary of the Treasury for investigation and report as to whether proposed buildings and sites are needed and the expenditure justified, and as to the lowest cost at which buildings found necessary may be erected with economy and efficiency; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 14412) to provide a 1-cent postage rate on local letters and reduce the rate of postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. DENISON: A bill (H. R. 14413) authorizing the Secretary of War to donate to the town of Carterville, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14414) authorizing the Secretary of War to donate to the town of Mounds, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14415) authorizing the Secretary of War to donate to the town of West Frankfort, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14416) authorizing the Secretary of War to donate to the town of Christopher, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

Also, a bill (H. R. 14417) authorizing the Secretary of War to donate to the town of Johnston, State of Illinois, one German fieldpiece or cannon; to the Committee on Military Affairs.

By Mr. EAGAN: A bill (H. R. 14418) to provide for the payment of taxes on certain property acquired by the United States during the war with Germany, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 14419) to provide for the payment of taxes to the city of Hoboken, N. J., on certain property acquired by the President, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 14420) to provide for the payment of taxes on certain property acquired by the United States by or under the provisions of war legislation, and for other purposes; to the Committee on the Judiciary.

By Mr. STRONG of Kansas: A bill (H. R. 14421) to amend sections 9 and 15 of the act approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. JAMES: A bill (H. R. 14422) to equalize pensions of retired policemen and firemen of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SUMMERS of Washington: A bill (H. R. 14423) authorizing the erection of a Federal building at Colfax, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. JAMES: A bill (H. R. 14424) providing that no soldier, sailor, or marine who has been dishonorably discharged from the United States Army or Navy shall ever receive a pension from the United States Government, and for other purposes; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 14425) amending chapter 209, Thirty-seventh Statutes, approved July 6, 1912, being an act entitled "An act for the transfer of the so-called Olmstead lands, in the State of North Carolina, from the Solicitor of the Treasury to the Secretary of Agriculture"; to the Committee on Agriculture.

By Mr. KELLY of Pennsylvania: A bill (H. R. 14426) to protect the public against false pretenses in merchandising, under trade-mark or special brand, of articles of standard quality; to the Committee on Interstate and Foreign Commerce.

By Mr. BEGG: Joint resolution (H. J. Res. 377) prohibiting the exportation of coal oil, gasoline, anthracite coal, and sulphur into the Dominion of Canada until such time as amicable trade relations can be arranged with the Dominion Government and the Provinces of Quebec, Ontario, and New Brunswick relative to the importation of sand, gravel, and pulp wood therefrom.

into the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. DOREMUS: Joint resolution (H. J. Res. 378) authorizing the Secretary of War to turn over to the Public Health Service necessary tents for use in caring for discharged veterans of the war with Germany; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: Joint resolution (H. J. Res. 379) to increase the salaries of school-teachers and other employees in the public schools of the District of Columbia; to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 14427) granting an increase of pension to Joseph Malattia; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 14428) granting a pension to Julia McDonald; to the Committee on Pensions.

By Mr. MACCRATE: A bill (H. R. 14429) for the relief of Mary O'Grady; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 14430) granting a pension to Ezra M. Sellers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14431) granting a pension to Benjamin H. Sellers; to the Committee on Invalid Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 14432) granting a pension to Solomon Cyr; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 14433) for the relief of Harry J. Dabel; to the Committee on Claims.

By Mr. PHELAN: A bill (H. R. 14434) granting a pension to Fred Nilan; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 14435) granting a pension to Isaac N. Bayless; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14436) granting an increase of pension to Lella Stewart; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 14437) granting an increase of pension to John Early; to the Committee on Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 14438) granting an increase of pension to Clara Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14439) granting a pension to Emma Colt; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 14440) granting a pension to Jesse B. Featherston; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4094. By Mr. CAREW: Petition of National Industrial Conference Board presenting 10 minor amendments to the Federal revenue laws; to the Committee on Ways and Means.

4095. By Mr. CULLEN: Petition of International Association of Garment Manufacturers of New York, regarding the railroad question; to the Committee on Interstate and Foreign Commerce.

4096. By Mr. CURRY of California: Petition of Consolidated Chamber of Commerce of Sacramento, Calif., favoring the passage of House bill 7204; to the Committee on Interstate and Foreign Commerce.

4097. By Mr. ESCH: Petition of United Cloth Cap and Hat Makers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4098. By Mr. EVANS of Nebraska: Petition of residents of Madison, Madison County, and Oakland, Burt County, Nebr., favoring passage of Senate bill 3259 and House bill 10925; to the Committee on Interstate and Foreign Commerce.

4099. By Mr. FULLER of Illinois: Petition of the Board of Directors of the Grundy County (Ill.) Farm Bureau, protesting against the Nolan bill for an additional tax on land values; to the Committee on Ways and Means.

4100. By Mr. GOLDFOGLE: Petition of New York Employing Printers' Association (Inc.), favoring increased pay for postal employees; to the Committee on the Post Office and Post Roads.

4101. Also, petition of sundry citizens and organizations of New York City, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4102. By Mr. HAMILL: Petition of Americans of Ukranian descent, asking for a commission to investigate and relieve suffering in Ukraine; to the Committee on Foreign Affairs.

4103. By Mr. O'CONNELL: Petition of Bronx Radical Youth, Branch 548, and the United Cloth Hat and Cap Makers of North America, favoring amnesty for political prisoners; to the Committee on the Judiciary.

4104. Also, petition of Long Island Chapter, Knights of Columbus, favoring increases in postal salaries; to the Committee on the Post Office and Post Roads.

4105. Also, petition of Wood & Stevens (Inc.), of New York, favoring preference in transportation of tin cans and tin plate; to the Committee on Interstate and Foreign Commerce.

4106. By Mr. RAKER: Petition of William Cluff Co., of San Francisco, Calif., protesting against Capper-Volstead bill; to the Committee on the Judiciary.

4107. Also, petition of Pacific Cotton Exchange, of Los Angeles, Calif., protesting against tax on stock transactions in bonus bill; to the Committee on Ways and Means.

4108. By Mr. TINKHAM: Petition of Boston Branch Railway Mail Association, favoring increased postal salaries; to the Committee on the Post Office and Post Roads.

#### SENATE.

SATURDAY, June 5, 1920.

(Legislative day of Wednesday, June 2, 1920.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

#### ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House:

H. R. 13976. An act to extend the time for the construction of a bridge across the Allegheny River, at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13977. An act to extend the time for the construction of a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania; and

H. R. 13978. An act to extend the time for the construction of a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania.

#### CALLING THE ROLL.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Reading Clerk called the roll, and the following Senators answered to their names:

Ashurst	Gay	Knox	Pomerene
Brandegee	Gerry	Lodge	Robinson
Calder	Hale	McCumber	Sheppard
Capper	Harris	McKellar	Smith, Md.
Chamberlain	Hitchcock	McNary	Smoot
Culberson	Jones, Wash.	Nelson	Swanson
Curtis	Kenyon	Nugent	Thomas
Dial	Keyes	Page	Warren
Fernald	King	Phelan	

The VICE PRESIDENT. Thirty-five Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Reading Clerk called the names of the absent Senators, and Mr. DILLINGHAM, Mr. NEW, Mr. NORRIS, Mr. SIMMONS, Mr. SMITH of Georgia, Mr. SPENCER, Mr. TRAMMELL, and Mr. WOLCOTT answered to their names when called.

Mr. BORAH, Mr. PHIPPS, Mr. GLASS, Mr. ASHURST, Mr. HENDERSON, Mr. RANSDELL, Mr. REED, Mr. STERLING, Mr. WALSH of Montana, Mr. UNDERWOOD, and Mr. SMITH of Arizona entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present.

#### DAUGHTERS OF THE AMERICAN REVOLUTION.

The VICE PRESIDENT. There was a unanimous-consent agreement entered into last night which the Chair is going to violate to the extent of laying before the Senate the annual report of the National Society of the Daughters of the American Revolution for the year ended March 1, 1919, which will be referred to the Committee on Printing.

#### ORDER OF BUSINESS.

Mr. KNOX. In pursuance of the notice I gave yesterday, I offer a resolution amending Rule XXV of the Standing Rules of the Senate.